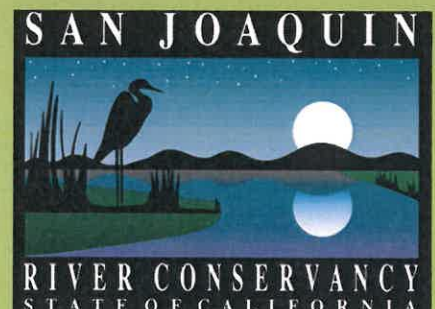
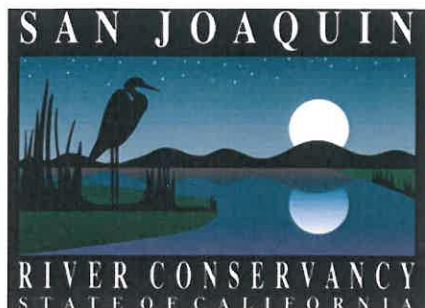


# BOARD MEETING REMINDER

The **April 11, 2018**, Board meeting begins at **10:00 a.m.** at the **Fresno Metropolitan Flood Control District Board Room**

Please note the earlier seasonal starting time, **March through November.**





350.053, 700.1  
March 28, 2018

**Notice of Availability and of Public Hearing  
to Consider  
Certifying the Final Environmental Impact Report  
and Approving the  
SAN JOAQUIN RIVER PARKWAY MASTER PLAN UPDATE  
State Clearinghouse No. 2013061035**

5469 E. Olive Avenue  
Fresno, California 93727  
Telephone (559) 253-7324  
Fax (559) 456-3194  
[www.sjrc.ca.gov](http://www.sjrc.ca.gov)

**GOVERNING BOARD**

Brett Frazier, *Chairperson*  
*Supervisor*  
*Madera County Board of Supervisors*

William Oliver, *Vice-Chairperson*  
*Councilmember, City of Madera*

Andreas Borgeas,  
*Supervisor*  
*Fresno County Board of Supervisors*

Steve Brandau  
*Councilmember, City of Fresno*

Kacey Auston, *Director*  
*Fresno Metropolitan Flood Control District*

Carl Janzen, *Director*  
*Madera Irrigation District*

Julie Vance, *Regional Manager*  
*Department of Fish and Wildlife*

Kent Gresham, *Sector Superintendent*  
*Department of Parks and Recreation*

John Donnelly, *Executive Director*  
*Wildlife Conservation Board*

Julie Alvis, *Deputy Assistant Secretary*  
*Natural Resources Agency*

Jennifer Lucchesi, *Executive Officer*  
*State Lands Commission*

Karen Finn, *Program Budget Manager*  
*Department of Finance*

Bryn Forhan  
Paul Gibson  
*Vacant*  
*Citizen Representatives*

Melinda S. Marks  
*Executive Officer*

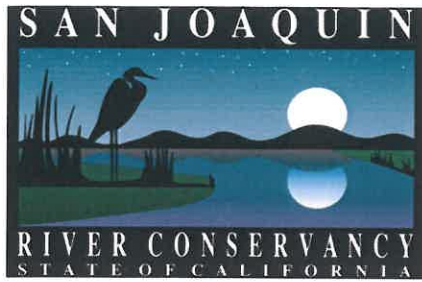
Edmund G. Brown, Jr.  
*Governor*

The San Joaquin River Conservancy (SJRC), as the Lead Agency under the California Environmental Quality Act (CEQA), is providing notice that the Final Environmental Impact Report (Final EIR) for the San Joaquin River Parkway Master Plan Update (proposed Plan) is available. (California Code of Regulations, title 14, section 15089.) The Final EIR can be viewed on the SJRC's website at <http://sjrc.ca.gov/Parkway-Master-Plan-Update/>. A copy of the Final EIR is also available for review at the SJRC Office, 5469 E. Olive Avenue, Fresno, CA 93727, and can be made available on a CD upon request.

The Final EIR includes written responses to all comments received during the 60-day public review period provided for the Draft EIR. SJRC is providing notice to all public agencies that commented on the Draft EIR (as well as all other commenters), that written responses to their comments are available for review within the Final EIR at least 10 days before the Final EIR is considered for certification. (California Code of Regulations, title 14, section 15088, subdivision (b).)

The SJRC Board will consider certifying the Final EIR and approving the proposed Plan at a public hearing scheduled on April 11, 2018 at 10:00 am. The hearing will be held at the Fresno Metropolitan Flood Control District located at 5469 E. Olive Ave., Fresno, CA 93727. The agenda and staff report will be available before the hearing on the SJRC webpage at <http://sjrc.ca.gov>.

If you have any questions, or would like a CD of the Final EIR, please contact Jasanjit Bains at [Jasanjit.Bains@sjrc.ca.gov](mailto:Jasanjit.Bains@sjrc.ca.gov) or (559) 253-7324.



250.20

STATE OF CALIFORNIA  
Edmund G. Brown, Jr., Governor

5469 E. Olive Avenue  
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*Fresno County Board of Supervisors*

Steve Brandau  
*Councilmember, City of Fresno*

Kacey Auston, *Director, Fresno*  
*Metropolitan Flood Control District*

Carl Janzen, *Director*  
*Madera Irrigation District*

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*Department of Finance*

Bryn Forhan  
Paul Gibson  
Vacant  
*Citizen Representatives*

Melinda S. Marks  
*Executive Officer*

**SAN JOAQUIN RIVER CONSERVANCY**

The San Joaquin River Conservancy Governing Board  
will hold a regular meeting on  
**Wednesday, April 11, 2018,**  
commencing at **10:00 a.m.**

**Board Meeting Locations:**

**Fresno Metropolitan Flood Control District**  
**5469 E. Olive, Fresno CA 93727**

and the following location is available to Board members  
and the public for participation via teleconference:  
California Natural Resources Agency  
1416 Ninth Street, Suite 1311  
Sacramento, CA 95814

**MEETING AGENDA**

**CALL TO ORDER & PLEDGE OF ALLEGIANCE**

**A. ROLL CALL**

**B. PUBLIC COMMENT & BUSINESS FROM THE FLOOR**

The first ten minutes of the meeting are reserved for members of the public who wish to address the Conservancy Board on items of interest that are not on the agenda and are within the subject matter jurisdiction of the Conservancy. Speakers shall be limited to three minutes. The Board is prohibited by law from taking any action on matters discussed that are not on the agenda; no adverse conclusions should be drawn if the Board does not respond to the public comment at this time.

**C. ADDITIONS TO THE AGENDA**

Items identified after preparation of the agenda for which there is a need to take immediate action. Two-thirds vote required for consideration. (Gov. Code § 54954.2(b)(2))

**D. POTENTIAL CONFLICTS OF INTEREST**

Any Board member who has a potential conflict of interest may identify the item and recuse themselves from discussion and voting on the matter. (FPPC §97105)

**E. MINUTES**

E-1 Approve Minutes of February 7, 2018

**F. CONSENT CALENDAR**

All items listed below will be approved in one motion unless removed from the Consent Calendar for discussion:

F-1 Authorize Agreements for Fire Prevention/Weed Abatement on Specific Conservancy Properties

F-2 Authorize an Agreement with the City of Fresno to Support the Life and Environmental Sciences River Excursions Program

**G. DISCUSSION**

G-1 Adopt Resolution 18-01 Certifying the San Joaquin River Parkway Master Plan Update Final Environmental Impact Report, and Approving the Proposed Plan, Including Adoption of Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program  
SCH No. 2013061035

G-2 Summary of Proposals and Recommendations of the Evaluation Panel Regarding Applications for the Multi-Benefit Water Quality, Water Supply, Ecosystem and Watershed Protection and Restoration Grants for the 2017-2018 Cycle

G-3 Create Ad Hoc Board Committee for Recruitment of Executive Officer, to Fill Position in Fall 2018

G-4 Report for Informational Purposes on Assembly Bill 3218, Authored by Assemblymember Dr. Joaquin Arambula

**H. ADMINISTRATIVE AND COMMITTEE REPORTS**

H-1 Organizations

If time allows, the following oral reports will be provided for informational purposes only, and may be accompanied by written reports in the Board packet. No action of the Board is recommended.

H-1a San Joaquin River Parkway and Conservation Trust

H-1b RiverTree Volunteers

H-2 Deputy Attorney General

H-3 Executive Officer



H-3a River West Fresno, Eaton Trail Extension Work Group, Summary of Activities,  
February and March 2018

H-4 Board Members' Reports

I. EXECUTIVE SESSION

Before convening in closed session, members of the public will be provided the opportunity to comment on Executive Session agenda items.

I-1 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9:  
1 potential case

J. NOTICE OF BOARD, ADVISORY, AND PUBLIC MEETINGS

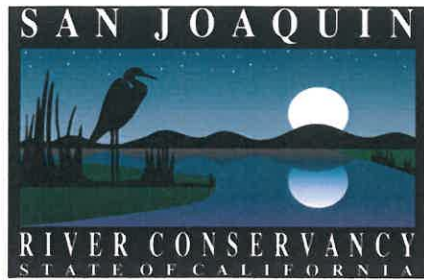
None.

K. NEXT BOARD MEETING DATE

The next Board meeting will be held May 2, 2018. **Please note the earlier starting time of 10:00 a.m. for meetings in February through October.**

L. ADJOURN

Board meeting notices, agendas, and approved minutes are posted on the Conservancy's website, [www.sjrc.ca.gov](http://www.sjrc.ca.gov). For further information or if you need reasonable accommodation due to a disability, please contact Jasanjit Bains at (559) 253-7324 or [Jasanjit.Bains@sjrc.ca.gov](mailto:Jasanjit.Bains@sjrc.ca.gov).



250.20

STATE OF CALIFORNIA  
Edmund G. Brown, Jr., Governor

**MINUTES**  
**SAN JOAQUIN RIVER CONSERVANCY**  
Governing Board  
**Wednesday, February 7, 2018**

**Board Meeting Location:**  
Fresno Metropolitan Flood Control District  
5469 E. Olive Ave., Fresno, CA 93727  
And via phone conference:  
California Natural Resources Agency  
1416 Ninth St., Ste. 1311  
Sacramento, CA 95814

5469 E. Olive Avenue  
Fresno, California 93727  
Telephone (559) 253-7324  
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**GOVERNING BOARD**

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Madera County Board of Supervisors

William Oliver, Vice-Chairperson  
Councilmember, City of Madera

Steve Brandau  
Councilmember, City of Fresno

Andreas Borgeas  
Fresno County Board of Supervisors

Kacey Auston, Director  
Fresno Metropolitan Flood Control  
District

Carl Janzen, Director  
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State Lands Commission

Karen Finn, Program Budget Manager  
Department of Finance

Bryn Forhan  
Paul Gibson  
vacant  
Citizen Representatives

Melinda S. Marks  
Executive Officer

**MEETING AGENDA**

**CALL TO ORDER & PLEDGE OF ALLEGIANCE**

Chairperson Frazier called the meeting to order at 10:31 a.m.  
and Mr. Brandau led the pledge of allegiance.

**A. ROLL CALL**

Name	Present	Telecon- ference	Absent	Late
Mr. Brett Frazier, Chair	X			
Mr. Steve Brandau	X			
Mr. Andreas Borgeas	X			
Mr. Will Oliver	X			
Ms. Kacey Auston	X			
Mr. Carl Janzen	X			
Mr. Gerald Hatler	X			
Mr. Kent Gresham	X			
Mr. John Donnelly				10:50 am (by phone)
Ms. Julie Alvis			X	
Mr. Colin Connor		X		
Ms. Karen Finn			X	
Ms. Bryn Forhan	X			
Mr. Paul Gibson				10:34 am

Ms. Bains confirmed that a quorum was present.

Legal Counsel Present: Michael Crow, Deputy Attorney General, via teleconference

Staff Present: Melinda Marks, Executive Officer  
Rebecca Raus, Associate Government Program Analyst  
Jasanjit Bains, Staff Services Analyst  
Heidi West, Program Manager, San Joaquin River Conservancy  
Projects, Wildlife Conservation Board

Chairperson Frazier welcomed two new board members: Ms. Kacey Auston, a Board member of the Fresno Metropolitan Flood Control District, and Mr. Colin Connor, the alternate from the State Lands Commission. Both members signed the Oath of Office.

A-1 Approve Rotation of Board Chairperson to Brett Frazier, Madera County Board of Supervisors, and Vice-Chairperson to Steve Brandau, Fresno City Council Member.

**Ms. Forhan moved, and Mr. Brandau seconded, approval of staff's recommendation.**

Mr. Brandau asked about the rotation schedule, noting that he had served as chair and vice-chair.

Ms. Marks explained that the chairperson rotates among the three board members from City of Fresno, County of Fresno, and County of Madera.

Mr. Crow stated the San Joaquin River Conservancy Act calls for rotation of the chairperson, and is silent about how the Board chooses the vice-chairperson. The next in line to be chairperson has served as the vice-chairperson; there is nothing in the law that says the Board has to do it that way.

Mr. Brandau stated he would like, instead, to nominate William Oliver for the position of vice-chair.

Mr. Janzen and Mr. Borgeas commented on the statute, the rotation, and the service on the Board of the representatives of the three agencies.

Mr. Frazier asked if the maker of the motion was willing to accept the change.

Ms. Forhan agreed to accept revised nomination, and confirmed with staff that the selection of the vice-chairperson was a long-standing custom, not a requirement of the statute, and is discretionary.

Mr. Janzen noted that the vice-chair is just identified so that the Board has someone to lead the meetings when the chair is not present.

Mr. Crow mentioned there have been times when the chair and vice-chair are not at a meeting; under Roberts Rules of Order the Board may select another person to act as the ad hoc chair for that particular meeting.

Mr. Frazier confirmed with Ms. Forhan that she accepted amending her motion to appoint William Oliver as the vice-chair, and confirmed with the second to the motion that he also accepted the revised motion.

As revised, Ms. Forhan moved, and Mr. Brandau seconded, affirming Mr. Frazier as Chairperson and appointing Mr. William Oliver as the Vice-Chairperson of the Board for the next two-year term.

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Brett Frazier	X		
Mr. Steve Brandau	X		
Mr. Andreas Borgeas	X		
Mr. William Oliver	X		
Ms. Kacey Auston	X		
Mr. Carl Janzen		X	
Mr. Gerald Hatler	X		
Mr. Kent Gresham	X		
Mr. Colin Connor	X		
Ms. Bryn Forhan	X		
Mr. Paul Gibson	X		

The motion passed by majority vote.

**B. PUBLIC COMMENT & BUSINESS FROM THE FLOOR**

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None.

**C. ADDITIONS TO THE AGENDA**

Items identified after preparation of the agenda for which there is a need to take immediate action. Two-thirds vote required for consideration. (Gov. Code § 54954.2(b)(2))

None.

**D. POTENTIAL CONFLICTS OF INTEREST**

Any Board member who has a potential conflict of interest may identify the item and recuse themselves from discussion and voting on the matter. (FPPC §97105)

None.

**E. MINUTES**

E-1 Approve minutes of August 9, 2017

E-2 Approve minutes of October 4, 2017

E-3 Approve minutes of December 13, 2017

Chairperson Frazier suggested the three sets of minutes could be taken as one vote.

**Mr. Janzen moved, and Mr. Gibson seconded, approval of the meeting minutes of April, October and December 2017, as prepared.**

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Brett Frazier	X		
Mr. Steve Brandau	X		
Mr. Andreas Borgeas	X		
Mr. William Oliver	X		
Ms. Kacey Auston	X		
Mr. Carl Janzen	X		
Mr. Gerald Hatler	X		
Mr. Kent Gresham	X		
Mr. Colin Connor	X		
Ms. Bryn Forhan	X		
Mr. Paul Gibson	X		

The motion unanimously passed.

**F. CONSENT CALENDAR**

All items listed below will be approved in one motion unless removed from the Consent Calendar for discussion:

F-1 Reminder to File Statements of Economic Interest and Complete Biennial Ethics Training, Due April 2, 2018

F-2 Approve Board Meeting calendar for 2018

**Ms. Forhan moved, and Mr. Oliver seconded, approval of the consent items as presented.**

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Brett Frazier	X		
Mr. Steve Brandau	X		
Mr. Andreas Borgeas	X		
Mr. William Oliver	X		
Ms. Kacey Auston	X		
Mr. Carl Janzen	X		

<b>Mr. Gerald Hatler</b>	X		
<b>Mr. Kent Gresham</b>	X		
<b>Mr. Colin Connor</b>	X		
<b>Ms. Bryn Forhan</b>	X		
<b>Mr. Paul Gibson</b>	X		

The motion unanimously passed.

## **G. DISCUSSION**

- G-1 Authorize Amendment to Sycamore Island Operations and Management Services and Supplemental Programs, Events, and Services Agreement with the San Joaquin River Parkway and Conservation Trust to Expand Services into the Van Buren Unit.

Ms. Marks reported the Conservancy acquired Sycamore Island in 2005; it had been a public fishing site in the 1960's or possibly earlier. Previously, public access was available on weekends when the gravel mine was not operating, and continued by the Conservancy through concession agreements. The property has vault toilet restrooms, picnic shelters, and an off-stream fishing access project underway under the Proposition 1 grant program. In 2012, the Parkway Trust began operating the concession agreement, and with Board approval in October 2017, they will continue their tenancy through December 31, 2019. They operate February through November on Fridays, Saturdays, Sundays and state holidays. In 2017, attendance was a record with over 10,000 visitors. The Parkway Trust has been increasing programs and operations, and this year there will be a continuation of the fishing derby with the Department of Fish and Wildlife.

Ms. Marks added that Ms. Sharon Weaver will be speaking about some of the accomplishments at Sycamore Island. There is a pond that is very popular and is used for the annual Fishing Derby; the road leading to the pond was damaged and was not accessible. Thanks to Mr. Hatler and his team at Department of Fish and Wildlife, they repaired the road.

Ms. Marks presented the recommended action: Now that the berm has been repaired to connect Sycamore Island and the Van Buren Unit, the Parkway Trust proposes to allow visitors to hike, bike and fish within the Van Buren Unit; this would double the size of the Sycamore Island operation. Visitors would enter Sycamore Island through the same access gate; access into the expanded area would only be by foot or bicycle. This expanded area of public use was considered in the River West Madera Master Plan; the County of Madera and the Conservancy Board approved the Mitigated Negative Declaration in 2012 and 2013.

Ms. Weaver thanked the Board for considering the expansion of Sycamore Island to include the Van Buren Unit. She thanked Mr. Hatler and his team for the repairing the road. She provided the Board a photo of the road repair that was posted on Facebook and had reached 8,505 people. This demonstrated how excited people are to have access to that pond again. She shared a map of participant data from the Bass Derby in June 2017. The map illustrates visitors come from throughout the region, not just north Fresno. Ms. Weaver thanked the Parkway Trust's staff member Sarah Parkes who is a part of the running club that helped sponsor an event at Sycamore Island.

Mr. Gibson inquired if the run had sold out, again, this year. Ms. Weaver replied that it had sold out, and the number of participants had been increased to 320. Mr. Bart Bohn, former District 6 CalTrans Director, helped with the parking. The Parkway Trust is thinking of expanding the event to 500 people next year and utilizing the Van Buren Unit.



Mr. Hatler suggested calling it, "The Salmon Run." The Board appreciated the suggestion.

Ms. Weaver reported that last weekend was opening weekend and there were about 345 participants at the site, with a gross revenue of just under \$3,000.

Upon inquiry from Mr. Oliver, Ms. Weaver noted that the Fishing Derby was not held last year, since they were unable to plant trout due to the damage to the road.

On inquiry from Mr. Frazier, Ms. Weaver stated the postings on Facebook were all "organic." The Parkway posts regularly on the site and shares photos from anglers.

Mr. Janzen asked if the picture shown of the road linking Sycamore Island and the Van Buren Unit along the berm was a recent photo taken after the high water releases in the river last year. Ms. Marks reported that it was taken after the flows had receded, and the berm and floodplain performed exactly the way they were designed to perform, even though there were no plants in the ground yet to stabilize the new fill.

**Mr. Gibson moved, and Mr. Borgeas seconded, approval of staff's recommendation to extend the Sycamore Island operation to include the Van Buren Unit.**

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Brett Frazier	X		
Mr. Steve Brandau	X		
Mr. Andreas Borgeas	X		
Mr. William Oliver	X		
Ms. Kacey Auston	X		
Mr. Carl Janzen	X		
Mr. Gerald Hatler	X		
Mr. Kent Gresham	X		
Mr. Colin Connor	X		
Ms. Bryn Forhan	X		
Mr. Paul Gibson	X		

The motion unanimously passed.

Mr. Donnelly arrived via teleconference during the roll call vote and did not vote.

#### H. ADMINISTRATIVE AND COMMITTEE REPORTS

If time allows, the following oral reports will be provided for informational purposes only, and may be accompanied by written reports in the Board packet. No action of the Board is recommended.

##### H-1 Organizations

###### H-1a San Joaquin River Parkway and Conservation Trust

Ms. Weaver thanked Mr. Ted Morgan, a member of the Parkway Trust board, for a wonderful job building excitement regarding operations at Sycamore Island. Ms. Weaver

shared plans regarding a potential partnership with Valley Children's Hospital. The Parkway Trust will be hosting a few public events to highlight the new expanded access coming up in March such as a bike ride, or some sort of event, and will keep the Board informed.

#### H-1b RiverTree Volunteers

Mr. Richard Sloan from RiverTree Volunteers stated there is a clean-up scheduled for February 17<sup>th</sup>; if there are enough volunteers they would tackle abandoned camps on the Conservancy's Spano property. The volunteers have already removed two trailer-loads of trash. Mr. Sloan informed the Board there are numerous homeless camps, some of them are on Conservancy properties, and some are growing marijuana. A cleanup of Wildwood Native Park was completed a few weeks ago. Railroad ties were installed along the fence to prevent vandalism of the fence. There is erosion along the river at Ledger Island and PVC pipes are exposed.

Mr. Gibson asked if there are constraints on RiverTree's resources to maintain its programs. Mr. Sloan stated the biggest issue is the cost of trash disposal after a cleanup. They rely on personal funds. For cleanups near Woodward Park the organization is allowed to discard trash there, but they can't overwhelm the dumpsters.

Mr. Gibson asked Ms. Marks if there are funds available to help pay for trash disposal. Ms. Marks responded that the SJRC fund appropriation is available for fundamental property management. The Conservancy can provide on some occasions large bins for clean-ups.

Mr. Gibson, Mr. Sloan, and Ms. Auston discussed the costs and frequency of trash disposal by RiverTree. Ms. Auston asked Mr. Sloan for his contact information so that she could look into finding assistance.

Mr. Donnelly asked if RiverTree's work always occurred on Conservancy property or on a combination of publically owned properties along the river. Mr. Sloan replied that much of their work is on the river itself, and most of the work is on Conservancy property.

#### H-2 Deputy Attorney General

Mr. Crow informed the Board that the alternate for his position will now be Deputy Attorney General Christina Morkner-Brown. She represented and assisted the Conservancy on the River West Fresno EIR. She will be attending either by conference call or in person in the future.

Mr. Frazier thanked Mr. Crow and the Attorney General's Office for assistance and guidance throughout the River West Project.

#### H-3 Executive Officer

Ms. Marks informed the Board about the River West Work Group meeting that was held on January 17, 2018. Benchmarks that need to be accomplished within one year were listed in the staff report. The meeting notes identify the issues that are arising and what the work group is doing to address them. Each time the work group meets a briefing report will be provided to the Board. This first meeting was introductory, but indicates how the work group is beginning to

implement the project and address issues associated with the North Palm public access area (Alternative 5B). There was a second meeting among a sub-group to discuss the post closure land use plan for the 11-acre property. The non-profit, San Joaquin River Access Corporation (SJRAAC) is working to secure consultants so that they can make progress on the post closure plan land use plan and design requirements for the North Palm access. It was noted that there cannot be final approval from the regulatory agencies until there are final working plans, drawings, and specifications. The SJRAAC is continuing negotiations with Mr. Spano to address the Board's concerns regarding the easement that is tied to their option to purchase the property. By the end of the year, when the option expires and the SJRAAC closes escrow, they hope to renegotiate the easement so that it better defines Mr. Spano's approval authority over any improvements on the parcel.

Mr. Janzen inquired if it would be possible to consider, instead of locating the parking lot on the landfill, locating a parking area to the east on unaffected Conservancy property.

Ms. Marks stated the location on the Conservancy's property was not considered for a location of a parking lot, because it would be located directly below and near to residences. The location was not considered in the EIR.

Mr. Gibson stated that work group discussed doing a study of the operations and maintenance needs. He had asked if the Conservancy could phase the opening of River West and move fairly quickly to open the trail, the Perrin parking lot, and the bike and pedestrian entrance at Riverview Drive. The Conservancy could partner for operations and maintenance and possibly move forward on these elements while the rest of the work is being done. He asked staff if it is a possibility to get started as quickly as possible, if we were able to solve the operations and maintenance questions.

Ms. Marks stated that is possible and was a part of the Board's resolution in approving the project. One of the orders of the Board was to implement elements of the core project as soon as possible. The Conservancy needs the cooperation of the City of Fresno, along with the Parkway Trust, to hold working meetings to determine the services required to operate the core elements, when those could be completed and be open to the public, and then do budget planning. Not only the City but other viable partners could take on certain elements of operations and maintenance. Once operations and maintenance resources are committed we could begin the engineered design.

Mr. Gibson added that the Perrin parking lot could be a controlled-access parking lot with user fees to offset expenses.

Mr. Borgeas stated the County of Fresno changed its fiscal year cycle from spring to fall, and added that once the Conservancy has estimates for operations and maintenance, perhaps the Board can authorize Ms. Marks to work with him to make a presentation to the Fresno County Board to let his colleagues and staff know that this partnership could be continued. They could ask Fresno County to appropriate funds to assist with operations and maintenance. There should also be a presentation to the Fresno County Transportation Authority (FCTA), which administers Measure C funds.

Ms. Marks added that Measure C funds appropriated to the City of Fresno and the County of Fresno are possible resources for trail operations and maintenance. The maintenance costs of Alternative 5B may be relatively high—for example the cost of maintaining retaining walls—however, starting with core project elements, the costs should be modest.

Mr. Borgeas suggested a presentation to the County in spring and maybe in March or April the Board could authorize a presentation to the FCTA.

Mr. Gibson stated he was impressed with the work group's initial meeting. As a result, we can move at a pace that is much quicker to provide the public a really good project.

Mr. Frazier added the Board had talked about building the trust with the public, and ensuring the public sees forward motion and improved access. If we can get started getting people to the river, that will be important moving forward.

Resuming her report, Ms. Marks announced she will be retiring by late summer 2018. The Conservancy will begin recruitment probably in April.

Mr. Janzen inquired about the procedure for hiring for the Executive Officer.

Ms. Marks stated the process would go through a State open recruitment process. Usually the process takes about 6 months. When she was hired there was an ad hoc committee of the Board that evaluated the applications, interviewed candidates, and made recommendations to the full Board, which then made recommendations to the State to complete the hiring process. Ms. Marks suggested the Board form an ad hoc committee to update the job duty statement and begin the State recruitment process. She noted that it would be helpful for Board members to use their networks to find qualified candidates.

Mr. Borgeas asked whether the State had ultimate authority on hiring. Ms. Marks responded that her appointment had to be approved by the Governor's Office.

Mr. Crow noted that the Board, under the language of the SJRC Act, makes the decision on hiring the Executive Officer.

Mr. Borgeas asked if the Conservancy is authorized to use its budgeted funds to hire a professional service to help recruit for the position. Ms. Marks stated she would look into that.

Mr. Borgeas noted the importance of Ms. Marks' position.

Mr. Frazier stated that the Board would create an ad hoc committee at the next Board meeting and requested rules or guidelines from staff and Mr. Crow. Mr. Frazier thanked Ms. Marks and he and other Board members expressed appreciation for her service.

#### H-4 Board Members' Reports

##### I. EXECUTIVE SESSION

Before convening in closed session, members of the public will be provided the opportunity to comment on Executive Session agenda items.

None.

##### J. NOTICE OF BOARD, ADVISORY, AND PUBLIC MEETINGS

None.

K. NEXT BOARD MEETING DATE

Subject to adoption of the Board meeting calendar (item F-2), the next Board meeting will be held March 7, 2018. Please look for the approved meeting calendar and meeting notices at [www.sjrc.ca.gov](http://www.sjrc.ca.gov).

L. ADJOURN

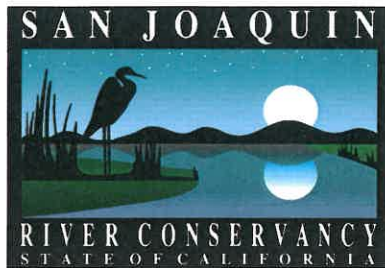
Chairperson Frazier adjourned the meeting at approximately 11:41 a.m.

Board meeting notices, agendas, and approved minutes are posted on the Conservancy's website, [www.sjrc.ca.gov](http://www.sjrc.ca.gov). For further information or if you need reasonable accommodation due to a disability, please contact Jasanjit Bains at (559) 253-7324 or [Jasanjit.Bains@sjrc.ca.gov](mailto:Jasanjit.Bains@sjrc.ca.gov).

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Melinda S. Marks", with a long horizontal flourish extending to the right.

Melinda S. Marks, Executive Officer



## SAN JOAQUIN RIVER CONSERVANCY

### *Agenda Item*

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Item: F-1

April 11, 2018

TO: San Joaquin River Conservancy Governing Board

FROM: Melinda S. Marks, Executive Officer 

SUBJECT: **Authorize Agreements for Fire Prevention/Weed Abatement on Specific Conservancy Properties**

#### RECOMMENDATION:

It is recommended the Board authorize fire prevention, weed abatement and fuel-load reduction agreements for various Conservancy properties as specified below

#### SUMMARY:

The Conservancy has taken responsibility for performing fire prevention and weed abatement on its properties adjacent to urban development. For many years, the Conservancy has contracted these labor-intensive services from two local conservation-related vocational training programs: the Local Conservation Corps (LCC) operated by the Fresno County Economic Opportunities Commission, and the California Conservation Corps (CCC), a state agency. Contractors provide all required work utilizing appropriate mechanical equipment and tools (disking, grading, dragging, mowing, manual or power-operated hand tools, etc.) as necessary to effectively reduce weeds within perimeter firebreaks. Services also include clearing and disposing of all trash, debris, weeds, and other waste and refuse materials collected from the property. No burning is permitted in the performance of this work.

The LCC will provide weed disking services to create a firebreak on the Conservancy's Spano property. Disking is done along the maintenance and access road on the property, along the entrance road, around the private residence on the site, and at the base of the bluff beneath residences.

The CCC will perform weed abatement on the bluff of the Liddell property to create a 30-foot firebreak adjacent to residences. Any remaining contract funds may be used for additional property maintenance and fuel reduction services on the Liddell property and at other Conservancy properties, such as Circle V Ranch, Jensen River Ranch, and Ball Ranch.

In addition to the annual fire prevention services provided through the LCC and CCC contracts, The Madera County Fire Explorer Post 19 will be removing downed wood, branches and brush that have grown to obstruct the trail at Wildwood Native Park. The Explorers will also remove vegetation within a firebreak adjacent to the mobile homes at Wildwood Mobile Home Park. The Explorers provide volunteer services; however, an agreement will reimburse them for direct costs, such as disposal costs.



**DISCUSSION:**

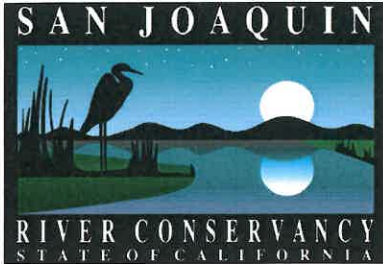
The Conservancy's Spano and Liddell properties lie adjacent to urban residential areas. They must meet the City of Fresno's requirement that owners of vacant, unirrigated property are required each spring to disk a firebreak along boundaries with developed property, and around any structures on the property. The County of Madera has similar requirements for weed abatement. These requirements apply to Wildwood Native Park, which is adjacent to a mobile home park.

These preventive measures help protect adjacent urban development from wildland fires.

Standard state agreements will be utilized, consistent with state contracting policies and risk management practices.



Rebecca Raus  
Assoc. Govt. Program Analyst



# SAN JOAQUIN RIVER CONSERVANCY

## *Agenda Item*

Item: F-2

April 11, 2018

TO: San Joaquin River Conservancy  
Governing Board

FROM: Melinda S. Marks, Executive Officer

**SUBJECT: Authorize an Agreement with the City of Fresno to Support the Life and Environmental Sciences River Excursions Program**

### RECOMMENDATION:

It is recommended the Board authorize an agreement for services not to exceed \$11,000 with the City of Fresno Parks, After-School, Recreation, and Community Services Department (PARCS) to provide specified community education and recreation programs on Conservancy lands.

### SUMMARY:

Minor program service agreements have been awarded by the Board to various organizations to implement habitat restoration, cleanups, recreation, and education on Conservancy lands that are otherwise closed to the public. As directed by the Board in April 2009, the intent of these agreements is to supplement property management by increasing the quality and frequency of property use and stewardship through cooperative, supervised public recreation, conservation, and education services.

PARCS has an on-going Life and Environmental Science (LES) Program that provides activities at City parks and contracted school sites. The program has invested in an experienced Recreation Specialist/Naturalist and support staff, trained volunteers and interns, two mobile environmental Science teaching labs, and vans to transport participants.

With this agreement, the LES Program will provide environmental service learning activities, such as canoe trips, hiking, river water quality testing, and invasive plant removal on Conservancy properties. The program will serve more than 200 residents, primarily consisting of low income, at-risk youth from under-served communities, and will provide these programs at no cost to the participants.

PARCS has been a beneficial partner in meeting the Conservancy's need for supervised recreation and education programs, as well as its need for an increased presence for oversight of Conservancy lands. Program services include field excursions, hiking, litter removal, invasive plant removal, overnight camping, fishing, canoe trips and paddle-abouts, environmental

education and games, nature observation and bird watching. The program encompasses service, recreation, and restoration activities.

#### DISCUSSION:


Service agreements are made possible by from the San Joaquin River Conservancy (SJRC) Fund, which is generated by revenues from the Conservancy's long-term property leases. Annual appropriations in the SJRC Fund are utilized for fundamental property management purposes. These funds provide for basic repairs, maintenance, and management of Conservancy lands. For the 2017/2018 fiscal year, \$116,000 was appropriated to the Conservancy in the SJRC Fund. Approximately 85% of these funds are allocated to various contracts for property maintenance services such as Friant Cove operations, weed abatement/fire prevention, and fence and gate repairs. A portion of the funds in the 2017/2018 fiscal year budget will be utilized for this service agreement totaling \$11,000. The Conservancy may enter into agreements with local agencies without bidding.

The LES Program agreement will provide supervised recreational, educational, and environmental stewardship programs primarily on Conservancy-owned lands with an emphasis on properties not otherwise open to the public, such as River Vista, Ledger Island, and River West. The agreement will contract for services similar to the program services LES has provided successfully in the past. The program's budget allows funding for program planning, implementation, and administration; equipment and supplies; and transportation. Services provided by LES include: sponsoring and supervising hiking, camping, bird watching, paddle boarding, environmental games and other field excursions.

These contractual services help the Conservancy meet its property management goals of increasing public access and recreation opportunities, providing land stewardship education, and establishing and maintaining collaborative relationships with other agencies, and local non-profit organizations. This contract increases the frequency and quality of property stewardship, aids in monitoring Conservancy-owned properties, increases public awareness and participation in supervised outdoor education activities.

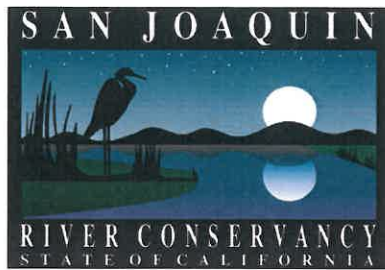
This service agreement will conform to State contracting procedures. Property inspection reports will be submitted with all invoices for activities conducted on Conservancy-owned properties.

The Conservancy appreciates the valuable services City PARCS is providing to support the Parkway.



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Jasanjit Bains  
Staff Services Analyst



## SAN JOAQUIN RIVER CONSERVANCY


### *Agenda Item*

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Item G-1

April 11, 2018

TO: San Joaquin River Conservancy Governing Board

FROM: Melinda S. Marks, Executive Officer 

**SUBJECT: Adopt Resolution 18-01 Certifying the San Joaquin River Parkway Master Plan Update Final Environmental Impact Report, and Approving the Proposed Plan, Including Adoption of Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program  
SCH No. 2013061035**

#### RECOMMENDATION:

After providing an opportunity for public comment, it is recommended the Board consider the San Joaquin River Parkway Master Plan Update (proposed Plan or proposed Project) Final Environmental Impact Report (EIR) and adopt the proposed Resolution 18-01 to:

1. Certify the Final EIR was completed in compliance with CEQA, was presented to the Board, which reviewed and considered the Final EIR information, and reflects the Board's independent judgement, in accordance California Environmental Quality Act (CEQA) Guidelines Section 15090; and
2. Approve the proposed Plan, including Resolution 18-01 exhibits presenting the necessary Findings of Fact and Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program, in accordance with CEQA Guidelines Sections 15091, 15092, and 15097.

The proposed Resolution 18-01 will be provided to the Board in advance of the meeting.

#### PUBLIC HEARING AND BOARD DELIBERATIONS:

It is recommended the Board conduct the meeting as follows:

1. Staff Presentation
2. Initial Board Questions and Staff Responses
3. Board Chair Opens Public Comment—Speakers may be limited to a maximum of 3 or fewer minutes each, as necessary to provide all interested parties the opportunity to comment.
4. Board Chair Closes Public Comment
5. Board Deliberations and Action

The Board may make a motion and vote to adopt proposed Resolution 18-01 to certify the Final EIR and approve the proposed Plan. The required CEQA Findings of Fact, including a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program will be included as exhibits to the resolution. The proposed Plan and EIR are programmatic documents. Because specific project level details are not available at this programmatic level, the Final EIR conservatively found implementation of the proposed Plan could result in some potentially significant impacts (air quality, greenhouse gases, agricultural resources, and damage to structures due to dam failure), which may be mitigated to less than significant levels during future project level review. The alternatives studied in the EIR do not significantly reduce the identified impacts. The Statement of Overriding Considerations included with the Findings of Fact will present a statement explaining why the benefits of the proposed Plan outweigh the impacts identified as significant and unavoidable.

#### SUMMARY:

The Conservancy is proposing to update the existing San Joaquin River Parkway Interim Master Plan, which was adopted in December 1997. The proposed Plan is a policy document to guide future improvements to the Parkway incrementally and in phases over many years. The proposed Plan includes goals, policies, design guidelines, best management practices, and conceptual improvement projects and opportunities under which Parkway development would be pursued and implemented. Future projects under the proposed Plan will be reviewed pursuant to CEQA requirements to determine potential impacts and mitigation measures on a site- and project-specific basis.

The Master Plan has been updated to reflect: regulatory changes; the San Joaquin River Restoration Program; practices, programs, directives, and initiatives that have been developed over the years; lands acquired by the Conservancy; and site-specific adopted and conceptual plans. The core values and policies of the Parkway Master Plan have served Parkway development well, are being implemented cooperatively by the local agencies, and are proposed to remain largely unchanged. In the proposed Plan, new goals and policies are shown in **bold**.

In May 2013, staff provided the Board an overview of the proposed Master Plan. On Board request at the May meeting, changes in the draft policies were made and presented to the Board in June 2013, and those revisions are included in the proposed Plan. A public scoping meeting and open house was held in June 2013, and the Draft EIR was available for public comment from May 1 through June 29, 2017. The Final EIR was released March 28, 2018. Revisions to the proposed Plan and revised mitigation measures were incorporated in response to comments, as detailed in Chapter 3 of the Final EIR.

According to CEQA Guidelines section 15121(a), the purpose of an EIR is to, "Inform public agency decision makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project."

The Final EIR found the proposed Project would result in less than significant impacts to almost all resources areas with incorporation of the identified mitigation measures. Due to the programmatic nature of the proposed Plan, it could not be determined with certainty at the programmatic level that any future project implemented under the plan would not have significant impacts on air quality, greenhouse gases, or agriculture resources. The potential

effects on air quality and greenhouse gases must be calculated on a project-specific basis to determine if thresholds are exceeded and to determine the best project level mitigation measures to address that impact. The possible acquisition and development of the Parkway could result significant impacts due to conversion of farmland to non-agricultural uses. Also, the development of structures within the river's floodplain could adversely increase structure loss or damage due to dam failure, which would be a significant and unavoidable impact. These impacts are identified as potentially significant and unavoidable and are addressed in the Findings of Fact.

The Final EIR incorporated revisions to the proposed Plan and the Draft EIR in response to comments, none of which require recirculation of the Draft EIR.

The Draft EIR analyzed two alternatives to the proposed Project. Neither of the alternatives would significantly reduce the significant and unavoidable impacts identified for the proposed Project. Consistent with CEQA Guidelines section 15126.6(e)(2), the Draft EIR examined the No Project Alternative. Under the No Project Alternative, the existing San Joaquin River Parkway Master Plan (1997) would remain in effect. This alternative would generally meet the project objectives, with the exception of the objective of cohesively generating environmental benefits and mitigating the impacts of Parkway development, rather than relying to a much greater extent on project-specific, incremental mitigation. This alternative would not comprehensively implement the updated policies of the Master Plan Update, nor would it implement the mitigation measures identified in the Final EIR.

The Draft EIR also examined the Increased Natural Reserves Alternative. Under this alternative, the proposed Project would continue to be implemented; however, the focus would shift to increasing natural reserves through land acquisitions, and would not enhance or increase the existing network of multi-use trails or other public access and recreation improvements. Under this alternative, the overall land area of conservation lands would be increased and the public access facilities would remain similar to existing conditions. This alternative would reduce visitation and further opportunities for low-impact recreation compared to the proposed Project. This alternative would not fully achieve the project objectives, the statutory mission of the Conservancy within the San Joaquin River Conservancy Act, nor the purposes of the planned San Joaquin River Parkway.

The proposed Plan Chapter 1, the Executive Summary, Chapter 2, Background and Context, and Chapter 5, Figures 5-1 through 5-12, illustrating the planned Parkway, are enclosed with this staff report. The figures note, "Planned trail alignments, especially those shown on private property, are shown only for illustrative purposes. The location of all Parkway facilities are subject to acquiring property or easements from willing sellers, site- and project-specific design, environmental review, and public participation." The Final EIR Chapter 2, Executive Summary, is also enclosed. The entire Final Environmental Impact Report, including the Draft EIR, proposed Plan, comments and responses to comments, revisions to the Draft EIR and proposed Plan, and appendices are published at [www.sjrc.ca.gov](http://www.sjrc.ca.gov), are available on a CD, and a hard copy is available for review in the Conservancy office. Please refer to these documents for the detailed environmental analysis.

Staff recommends adoption of the proposed Resolution 18-01 (to be provided prior to the meeting), certifying the Final EIR and approving the proposed Plan, including the required CEQA Findings of Fact and Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program.



## DISCUSSION:

### Project Description and Environmental Analysis

The Parkway Master Plan Update describes: the existing Parkway lands, facilities, and uses; contains a narrative description of possible Parkway improvements and implementation activities; illustrates on a regional map the existing and planned public access features; and notes where there are opportunities for future enhancements and improvements. The proposed Plan includes goals, policies, design guidelines, and best management practices to address a wide range of issues related to the Conservancy's mission and Parkway resources, including but not limited to: habitat conservation and enhancement; public access and low-impact recreation; agricultural, water, and mineral resources; cultural and historic resources; and environmental education. The proposed Plan includes an appendix recommending the development of a Parkway-wide habitat conservation strategy, that is incorporated into the proposed Plan, policy HABITAT.12, and is reflected in the extensive biological resource mitigation measures in the Final EIR. The proposed Plan also includes an appendix titled, Operations and Maintenance Funding Toolbox, the subject of a presentation to the Board in March 2013.

The evaluation of the potential environmental impacts of the proposed Plan is presented in Chapter 4 of the Draft EIR. A summary of the mitigation measures recommended to reduce the environmental impacts of the proposed Plan is provided in the attached Executive Summary, Chapter 2 of the Final EIR and are included in the Mitigation Monitoring and Reporting Program presented as an attachment to Resolution 18-01.

### Public Participation Process

The Conservancy has complied with all public participation requirements of the CEQA statute and CEQA Guidelines, including but not limited to, releasing a Notice of Preparation and holding a public scoping meeting in June 2013, releasing the Draft EIR for a 60-day public comment period from May 1 through June 29, 2017, and releasing the Final EIR on March 28, 2018. Key public workshops and meetings will be listed in the Findings of Fact document presented as an attachment to Resolution 18-01. The Notice of Availability for the Draft EIR was mailed to approximately 130 physical addresses and sent to over 600 email addresses, including individuals who have expressed interest in Conservancy and Parkway activities, agency staff, and landowners. The State Clearinghouse distributed the notice to 15 agencies. The Conservancy provided an email notice of this Board hearing to all those who commented on the Draft EIR and informed them that the Final EIR is available.

In response to the Draft EIR, the Conservancy received nine comment letters (hard copies and emails) from state and local agencies, and nine from organizations and individuals, listed in Chapter 4 of the Final EIR. All of the written comments were responded to in writing in Chapter 5 of the Final EIR. Some of the comments resulted in additional or revised text in the proposed Plan and Final EIR, including revisions to better describe the authority and jurisdiction of the State Lands Commission, an added mitigation measure related to the potential conversion of agricultural lands as a result of Parkway development, and revisions to accommodate concerns expressed by Tribal representatives. These revisions are detailed in Chapter 3 of the Final EIR. The Draft EIR for the proposed Plan was released for public comment after release of the River West Fresno, Eaton Trail Extension Draft EIR and before the Partially Revised Draft EIR for that project was released. Several comments related to the River West Fresno Draft EIR and are addressed in a Master Response in Chapter 5 of the Final EIR for the proposed Plan.

### CEQA Requirements and Process

*Certifying the EIR:* The first discretionary decision by the Board involves certifying the Final EIR. In approving Resolution 18-01, the Board certifies that (a) the Final EIR (released March 28, 2018; State Clearinghouse No. 2013061035) has been completed in compliance with the requirements of CEQA; (b) the Final EIR was presented to the Board and its members have considered the information contained in the Final EIR before considering approving the proposed Plan; and (c) the Final EIR reflects the Conservancy's independent judgment and analysis.

*Approval of the Project:* The second discretionary decision by the Board involves approving the proposed Plan, including incorporating the mitigation measures identified in the Final EIR through adopting a Mitigation Monitoring and Reporting Program (CEQA Guidelines § 15091(d)). When a Final EIR identifies one or more potentially significant environmental impacts, the approving agency must also make specific findings regarding each of those impacts, accompanied by a brief rationale (CEQA Guidelines § 15091(a)). One of the permissible findings is that changes or alterations have been incorporated into the project (e.g. mitigation measures) which avoid or substantially lessen the impact. For the proposed Plan, the mitigation measures are recommended in the Final EIR, and discussed in the document entitled CEQA Findings of Fact, which will be an attachment to Resolution 18-01, and will provide the rationale for the Board to find these mitigation measures are required and incorporated into the project to avoid or substantially lessen the impacts to less than significant levels.

Because the Final EIR found the proposed Plan would result in significant environmental impacts after incorporation of all recommended mitigation measures, the Findings of Fact must also consider whether the alternatives analyzed in the EIR are environmentally superior, and if so, provide a basis to reject such alternatives as "infeasible" before approving the project (CEQA Guidelines § 15091(a)(3)). One of the main policies of CEQA is that agencies should not approve projects with adverse environmental impacts if feasible mitigation measures or feasible alternatives can avoid or substantially lessen the impacts (Public Resources Code § 21002). The Draft EIR analyzed two alternatives to the proposed Project, but neither alternative significantly reduces or eliminates the impacts identified for the proposed Project. Because the proposed Project will result in significant unavoidable impacts, the Board must also adopt a statement explaining the project's overriding benefits (specific economic, legal, social, technological, or other considerations) that outweigh its environmental harms. This written statement is referred to as a Statement of Overriding Considerations and will be included in the Findings of Fact document proposed to be adopted as part of Resolution 18-01 and thus will be included in the record of the approval.

*Program EIR and Subsequent CEQA Review:* Because of the long-term planning horizon of the proposed Plan, and the acquisition, permitting, planning, and development actions that are contemplated for implementation, the Draft EIR was prepared as a program EIR, pursuant to CEQA Guidelines section 15168. Once a program EIR has been certified, subsequent activities within the program must be evaluated to determine whether additional CEQA review is required. If the program EIR addresses the program's effects as specifically and comprehensively as possible, subsequent activities could be found to be within the program EIR scope, and additional environmental review may not be required (CEQA Guidelines Section 15168(c)). When a program EIR is relied on for a subsequent activity, the lead agency must incorporate feasible mitigation measures and alternatives developed in the program EIR into the subsequent activities (CEQA Guidelines Section 15168(c)(3)). If a subsequent activity would have effects that are not within the scope of a program EIR, the lead agency must prepare a

new Initial Study leading to a Negative Declaration, a Mitigated Negative Declaration, or a Draft EIR. For these subsequent environmental review documents, the program EIR will serve as the first-tier environmental analysis.

#### Future Implementation of the Proposed Plan

Future land acquisitions and improvement projects to implement the Parkway Master Plan are periodically prioritized by the Board, with input from the Conservancy's Interagency Project Development Committee. Public Parkway lands are only acquired on a willing buyer/willing seller basis, and for no more than fair market value as established by an independent appraisal. Public access and recreation improvements funded by State bond funds authorized by the voters for Parkway purposes must also include long term operations and maintenance commitments by the grantees. Chapter 8 of the proposed Plan describes the implementation process.

#### Plan and EIR Preparation

The proposed Master Plan has benefited from the guidance, involvement, and review of the Interagency Project Development Committee and a technical advisory committee consisting of representatives of the Department of Fish and Wildlife, Department of Parks and Recreation, Wildlife Conservation Board, State Lands Commission, County of Madera, and San Joaquin River Parkway and Conservation Trust. City of Fresno Planning Department staff have been consulted to provide coordination between the Parkway Master Plan Update and the City of Fresno General Plan. Placeworks, planning consultants, prepared the Master Plan Update and EIR through a contract with the Conservancy. Ms. Heidi West of the Wildlife Conservation Board provided invaluable assistance, advice, and extensive technical editing of the many draft documents. Conservancy support staff coordinated public meetings and the distribution of public notices. Legal counsel assisted with final document review.

#### ENCLOSURES:

- The proposed San Joaquin River Parkway Master Plan: Chapter 1, the Executive Summary, Chapter 2, Background and Context, and Figures 5-1 through 5-12; and
- The Final EIR Chapter 2, Executive Summary, including a list of all recommended mitigation measures.

#### AVAILABILITY OF THE PARKWAY MASTER PLAN UPDATE AND FINAL ENVIRONMENTAL IMPACT REPORT

See <http://sjrc.ca.gov/Parkway-Master-Plan-Update/>

CDs available on request.

Hard copy available for review at the Conservancy office.

#### PENDING FOR DISTRIBUTION BEFORE THE BOARD MEETING:

Resolution 18-01 Certifying the Final EIR, Approving the Proposed Plan, and including Exhibit A: Findings of Fact and Statement of Overriding Considerations, and Exhibit B: Mitigation Monitoring and Reporting Program



# 1 EXECUTIVE SUMMARY





# 1 EXECUTIVE SUMMARY

The San Joaquin River Parkway Master Plan Update, presented herein and proposed for approval in 2017, describes the San Joaquin River Parkway (Parkway) as it exists today, presents conceptual plans for acquired Parkway lands, and presents policies, guidelines, and best management practices (BMPs) for continued acquisitions, improvements, and management.

The San Joaquin River Parkway is a planned 22-mile regional natural and recreation area primarily in the river's floodplain extending from Friant Dam to Highway 99, encompassing portions of both Fresno and Madera Counties. The adopted and proposed updated San Joaquin River Parkway Master Plan envision: a primary multi-use trail from Friant Dam to Highway 99 (22 +/- river miles); contiguous and continuous wildlife habitat and movement corridors; a regional, multifaceted parkway experience for visitors, consisting of river access, low-impact recreation, and conservation education; and functional regional conservation and restoration of habitat, the watershed, and ecosystems. The master-planned Parkway is a net benefit project that balances the natural resources conservation and recreation needs, and will provide a harmonious combination of low-impact recreation, natural and cultural resources conservation, and educational uses. The Parkway Planning Area covers over 22 miles of river corridor including the floodplain and adjacent bluffs under multiple ownerships.

The Parkway today includes public lands and improvements owned by the San Joaquin River Conservancy (Conservancy), City of Fresno, County of Fresno, State Lands Commission, California Department of Fish and Wildlife (CDFW)/Wildlife Conservation Board (WCB), and Fresno County Office of Education, and those owned by the nonprofit San Joaquin River Parkway & Conservation Trust (River Parkway Trust).

The Conservancy is the lead agency responsible for preparing, approving, and implementing the San Joaquin River Parkway Master Plan Update. The Conservancy is an agency of the State of California. It was established by the State Legislature in 1992 to create the Parkway by: acquiring 5,900 acres from willing sellers; enhancing and restoring riparian, floodplain, aquatic, and other habitats, and conserving other natural and cultural resources on its lands; and developing and managing its lands for public recreational and educational use compatible with resource protection. The Conservancy may also assist other entities in conserving and improving their properties for the Parkway. The Conservancy is working to facilitate the development of the Parkway, cultivate public support, and secure its future. As of 2016, the Parkway consists of 2,595 acres acquired by the San Joaquin River Conservancy for Parkway purposes and over 1,250 acres of other public lands.

The Conservancy Board adopted the Interim San Joaquin River Master Plan and Environmental Impact Report (EIR) in December 1997. The core values and policies of the Parkway Master Plan have served the Parkway well, are being implemented cooperatively by the local agencies, and are proposed to remain largely unchanged.

This Update focuses on those elements of the Master Plan that are clearly out of date. The Master Plan Update and EIR have been revised to reflect regulatory changes; the San Joaquin River Restoration Program (SJR Restoration Program); practices, programs, directives, initiatives, and partnerships that have been



developed over the years; lands acquired by the Conservancy; and site-specific adopted and conceptual plans. Goals, policies, and mitigation measures that are not outmoded remain essentially as-is though some language has been changed to provide clarity to the intent. New goals, policies, and mitigation measures have been added to address new requirements, to clarify previous language, and to assist with the continued implementation of the Parkway. Implementation of the Master Plan Update will continue to expand, enhance, and protect riparian, wetland, and upland habitats; improve recreational and education facilities; and add to the region's economic vitality and public health.

The Parkway Master Plan Update is the Proposed Project analyzed in the accompanying Environmental Impact Report prepared in compliance with the California Environmental Quality Act and to be considered for approval by the Conservancy Board in 2017.

## 2 BACKGROUND AND CONTEXT





## 2. BACKGROUND AND CONTEXT

### 2.1 THE SAN JOAQUIN RIVER AND WATERSHED

The San Joaquin River, emerging from the Sierra Nevada foothills, has carved its channel into a landscape of a broad floodplain flanked by bluffs varying in steepness and elevation. Below Friant Dam and Highway 99, the river serves as the boundary between the counties of Madera and Fresno, and is the principal natural feature of both the Fresno-Madera metropolitan area as well as the entire San Joaquin Valley, see Figure 2-1. On either side of the river corridor urban centers in the respective counties are growing progressively toward the river.

The river corridor is primarily designated for agricultural and open space uses in the local planning documents. Several studies, including the 1986 San Joaquin River Reconnaissance Study, have identified and documented the constraints associated with the river corridor or riverbottom lands. These constraints included flooding, riparian habitat, sand and gravel resources and operations, and topography. Development pressure in the area subjects the river corridor and remaining agriculture lands to diverse and often competing interests. Development characteristically results in the clearing of land to allow for construction, excavation, or landscaping that impinges on plant and wildlife habitat.

The San Joaquin River and many areas of the riverbottom between Friant Dam and Highway 99 offer attractive recreational opportunities and have significant natural habitat areas. Most land use jurisdictions now have policies that protect the floodplain from urban density development in the Parkway, and updated regulations that address natural resource protection, such as water quality measures. However, development pressure and a growing population still threaten to impact the habitat and recreational opportunities of the San Joaquin River. Specialized planning is still needed to identify and protect the natural resources and recreational values in the river corridor and riverbottom lands.

### 2.2 IMPETUS FOR ESTABLISHING A PARKWAY

The San Joaquin River is the second largest watershed in California. It serves the Fresno and Madera region's agriculture, recreation, and water supply needs. It historically provided for commercial navigation, and now provides for recreational boating. Its waters provide for unsurpassed agricultural production throughout the San Joaquin Valley. It supports important natural ecosystems, and once provided sustenance for numerous indigenous people.

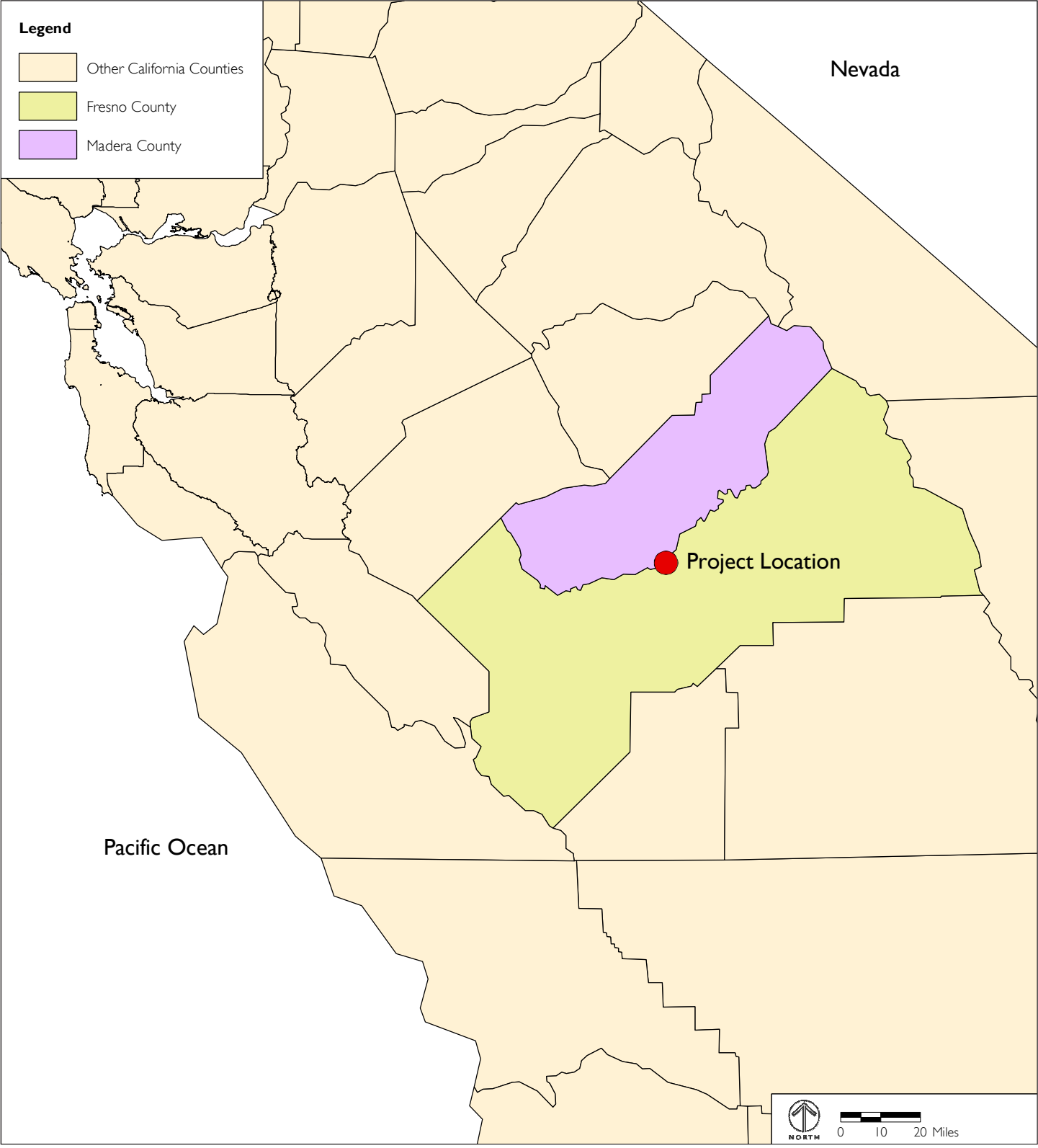


FIGURE 2-1  
REGIONAL VICINITY MAP

## BACKGROUND AND CONTEXT

In 1988, people concerned with the future of the San Joaquin River formed the River Parkway Trust, a private nonprofit organization. The loss of 94 percent of the San Joaquin Valley's wetlands and the conversion of wildlife habitat into urban development provided a basis for local concern about impacted river resources; others were concerned about the lack of access for the public to recreate within and along the river. Awareness of the natural resource, recreational, cultural resource, and educational values of the river, and the need for comprehensive, multi-jurisdictional coordination and planning led to State legislative action.

The State Legislature passed Assembly Bill No. 3121 (Chapter 1025 of the Statutes of 1990), introduced by Assembly Member Jim Costa, as an urgency measure. This legislation provided funds for a San Joaquin River Parkway Task Force (Task Force) to seek community participation in the planning process to develop a plan based on general goals described in the legislation.

Task Force members included representatives of State and local governmental agencies and various organizations with interest in the river and concerns with the effects of the Parkway. The legislature directed the planning process to attain a high degree of consensus among the members of the Task Force. The final draft of the San Joaquin River Parkway Task Force Plan (Task Force Plan) was issued March 13, 1992.

### 2.3 THE PLANNED PARKWAY

The San Joaquin River Parkway is a planned 22-mile regional natural and recreation area primarily in the river's floodplain extending from Friant Dam to Highway 99, encompassing portions of both Fresno and Madera Counties. The adopted and proposed updated San Joaquin River Parkway Master Plan envision: a primary multi-use trail from Friant Dam to Highway 99 (22+/- river miles); contiguous and continuous wildlife habitat and movement corridors; a regional, multifaceted parkway experience for visitors, consisting of river access, low-impact recreation, and conservation education; and functional regional conservation and restoration of habitat, the watershed, and ecosystems. On full build-out the Parkway will include a multi-use trail extending the entire length, an interconnected recreational trail system, habitat conservation areas and a protected wildlife movement corridor, non-motorized boating trail, low-impact recreation areas, educational and interpretive programs and features, watershed improvements, and ancillary facilities. A detailed description of the Parkway as it exists today is in Chapter 3, and as planned is in Chapter 5.

### 2.4 SAN JOAQUIN RIVER CONSERVANCY

The San Joaquin River Conservancy came into existence in 1992 through the passage of the San Joaquin River Conservancy Act (Public Resources Code §32500 et seq., Appendix A), to promote, develop, and manage the proposed Parkway. The Conservancy was initiated by citizens, advocacy groups, State and local agencies, and created by the State legislature to address the long-term future of the San Joaquin

## BACKGROUND AND CONTEXT

River's unique natural resources—its wildlife habitat, recreational opportunities, and beautiful park-like setting—as the pressures of urban growth from Fresno and Madera Counties accelerated.

The Conservancy adapted an interim plan derived from the San Joaquin River Parkway Task Force Plan in 1995, certified a programmatic Environmental Impact Report in accordance with the California Environmental Quality Act, and approved the Interim San Joaquin River Parkway Master Plan in December 1997.

The State of California created conservancies with the explicit purpose to execute the State's conservation goals through collaborative partnerships at the local and regional levels. Multi-agency state conservancies were created to accomplish accountability, sustain close relationships with local agencies, ensure transparency, give constituents a greater voice, and provide for integrated resources conservation/land use planning among state and local governments. With a State presence within the conservancies' governing bodies and state fiscal support, local agencies and regional interests have additional tools to effectively protect significant resources and to collaborate in sustainable development. The State, as well as local governments, have a compelling interest in protecting threatened resources in the rapidly growing, diverse, and evolving economy of the San Joaquin Valley.

### 2.4.1 SAN JOAQUIN RIVER CONSERVANCY ACT

#### MISSION

San Joaquin River Conservancy Act (Public Resources Code § 32500 et seq.) sets forth the statutory mission and authorities of the Conservancy. In the Act's introductory sections, "The Legislature hereby finds and declares that the San Joaquin River, its broad corridors, and its prominent bluffs constitute a unique and important environmental, cultural, scientific, agricultural, educational, recreational, scenic, flood water conveyance, and wildlife resource that should be preserved for the enjoyment of, and appreciation by, present and future generations." "The Legislature further finds and declares that the San Joaquin River Parkway Task Force, representing diverse state and local interests, has developed a San Joaquin River Parkway Plan which, in concept, outlines and provides a structural framework for ideas for establishing the San Joaquin River Parkway. It is the intent of the Legislature in enacting this division to implement the task force recommendation for a managing entity for the proposed Parkway."

#### AUTHORITIES

The following are key Conservancy authorities provided in the Act:

"The conservancy may determine acquisition priorities and may acquire real property or any interest in real property within the parkway from willing sellers and at fair market value or on other mutually acceptable terms [emphasis added]. The conservancy may acquire the property, itself, or may coordinate the acquisition through a member agency or other public agencies with appropriate responsibility and

## BACKGROUND AND CONTEXT

available funding or land to exchange. The conservancy does not have powers of eminent domain.” (PRC §32532)

“The conservancy shall be responsible for operation and maintenance of the parkway. The conservancy shall close to the public any lands or facilities which it is unable to maintain in a clean and safe manner and to adequately protect the wildlife and rights of adjacent property owners from the public, including areas downstream from the Highway 99 crossing affected by the use of the parkway.” (PRC §32511)

The Act provides: “The conservancy may adopt and enforce regulations governing the use of parkway lands and activities within the parkway; the protection and management of native riparian vegetation, wildlife, and other natural resources on parkway lands; and the protection of archaeological sites.” (PRC §32527)

“The conservancy may undertake site improvement projects; regulate public access; revegetate and otherwise rehabilitate degraded areas, in consultation with other public agencies with appropriate jurisdiction and expertise; upgrade deteriorating facilities; and construct new facilities as needed for outdoor recreation, nature appreciation and interpretation, and natural resource protection. These projects may be undertaken by the conservancy itself or by member agencies, with the conservancy providing overall coordination through setting priorities for projects and assuring uniformity of approach.” (PRC §32533)

The Conservancy is an agency of the State of California. The Conservancy must comply with all laws, regulations, manuals, policies, and directives that apply to State agencies, including requirements for budgeting, accounting, and fiscal management; contracting and purchasing; public records; etc. The Conservancy Board procedures, meetings, and actions must comply with the Brown Act.

## MANAGEMENT AND REGULATORY JURISDICTION

The area under management and regulatory jurisdiction of the Conservancy consists of the land acquired or leased by the Conservancy for the Parkway; other public lands managed by the Conservancy on behalf of another public agency through written mutual agreement; and private lands that are in a land mitigation bank or that are adjacent to the Parkway and downstream from the Highway 99 crossing and for which the owner desires the Conservancy's management and protection services or which are subject to a voluntary resource management agreement entered into with the Conservancy. (PRC §32512 and 32513) State-owned land managed under the Conservancy's jurisdiction may be referred to as Conservancy land or property herein. State lands are not generally subject to local land use regulation.

All zoning and land use regulations over other lands in the Parkway Plan Area remain the exclusive authority of the local land use agencies.



## BACKGROUND AND CONTEXT

### 2.5 PARKWAY PLANNING AREA

The area eligible for Parkway planning and development by the Conservancy, described herein as the Parkway Planning Area, is comprised of lands on both sides of the river from Friant Dam to Highway 99, see Figure 2-2. The Parkway Planning Area includes portions of Fresno County, Madera County, and the City of Fresno. This area is approximately 22-miles long, from river mile 267.6 at the face of Friant Dam to State Highway 99 at river mile 243.2, on both sides of the river. The Parkway Planning Area varies in width from a narrow wildlife corridor where the river bluff is steep and close to the river to extensive floodplains of several hundred acres that may be suitable for a natural reserve or recreation area, or are already used as parklands.

Generally floodplain lands below the river's bluffs are the focus of Parkway planning; however, other lands, access roads, parking and staging areas, overlooks, and connections to community trails (among other possible appurtenant facilities) are eligible for acquisition, improvement, and incorporation into the Parkway. The Legislature intended that the Parkway would eventually encompass 5,900 acres, "of which 1,250 acres were already in public ownership" in 1992 (PRC §32510).

The Parkway Planning Area includes properties that are candidates for acquisition or Parkway management in order to connect existing Parkway elements, to improve the ecological values of the Parkway, or to provide for additional recreation opportunities. Indicating the general planning area of the Parkway on a map or describing it in this Plan is for planning purposes only. It does not and is not intended to initiate or to represent possible property acquisition activity. Future actions and negotiations with willing sellers will determine the ultimate configuration of the Parkway and the land and water areas included within it.

### 2.6 KEY PARTNERSHIPS

#### 2.6.1 AGENCIES

The Conservancy is governed by a board consisting of representatives of:

- Six State agencies: The California Natural Resources Agency, California Department of Finance, California Department of Fish and Wildlife (CDFW), California Department of Parks and Recreation (DPR), Wildlife Conservation Board (WCB), and State Lands Commission (SLC);
- Six local agencies: Elected officials from the City of Fresno, City of Madera, County of Fresno, and County of Madera, as well as board members or designees from the Madera Irrigation District and Fresno Metropolitan Flood Control District; and
- Three local residents nominated by local agencies and appointed by the State Governor. (PRC §32515)

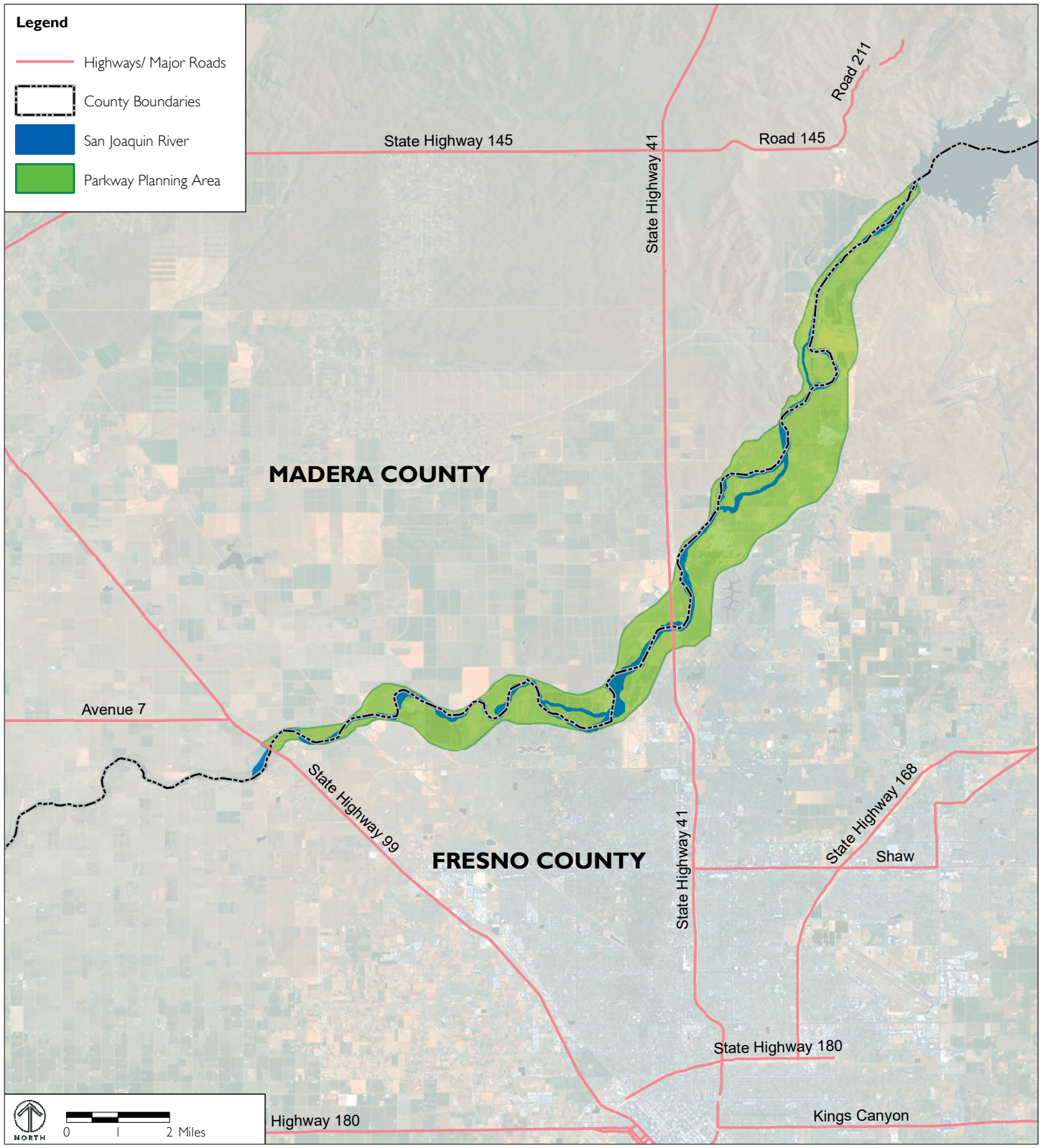


FIGURE 2-2

PARKWAY PLANNING AREA

## BACKGROUND AND CONTEXT

The State and local agencies represented on the board are often referred to as the “member agencies.” Parkway partnerships among the member agencies are strong, as demonstrated by the following examples:

- The local member agencies have incorporated the Parkway Master Plan in relevant portions of their land use plans. The local agencies have partnered with the Conservancy in Parkway plans, projects, and management. The County of Madera Planning Department has provided contractual planning assistance, including the River West Madera Master Plan and the River Vista Plan. The City of Fresno operates and maintains the Lewis S. Eaton Trail, Riverside Trail, and Tom MacMichael Sr. Trail. They have partnered on several planning projects, including the on-going River West Fresno, Eaton Trail Extension Plan. The County of Fresno owns and operates Lost Lake Park.
- DPR provides administrative and operational services through agreements with the Conservancy, and actively participates in project development. They provide contract services to operate Friant Cove.
- WCB assists with Conservancy in administering bond fund capital improvements and land acquisitions. They provide professional support and bond fund accountability through a Memorandum of Understanding with the Conservancy.
- CDFW collaboratively manages its San Joaquin River Ecological Reserve in a manner that benefits Parkway purposes and provides visitor services at the San Joaquin Fish Hatchery.
- The State Lands Commission (SLC) has jurisdiction and management control over State sovereign lands, including the beds of navigable rivers such as the San Joaquin River. The SLC manages these lands for the benefit, use and enjoyment of all the people of the State, subject to the Public Trust.
- The California Department of Finance serves on the Conservancy board to provide oversight and direction related to State fiscal resources.
- The California Natural Resources Agency provides an umbrella for the ten State conservancies to partner in developing conservation policies and support.

The San Joaquin River Restoration Program (SJR Restoration Program), lead primarily by the State departments of Water Resources and CDFW, and the federal Bureau of Reclamation and National Marine Fisheries Service, has placed a priority on river and floodplain habitat enhancement within the Parkway and created the opportunity for interagency collaboration to achieve common goals. The San Joaquin River’s wildlife habitat and fishery resources have been severely impacted by human activities. In 2006, San Joaquin River water users and environmental groups arrived at a historic settlement agreement to restore the river. The State, federal government, Friant Water Users Authority, and environmental entities sponsoring the SJR Restoration Program will implement watershed-wide projects to change river flows and regimes, modify channel and floodplain configurations, restore aquatic and riparian habitat, and restore salmon in the river. Habitat restoration projects on Conservancy properties may be eligible for cooperative funding and joint project planning with the federal, State, and other entities.

Various public agencies may also sponsor smaller habitat restoration projects within the Parkway to meet mitigation requirements.

## BACKGROUND AND CONTEXT

### 2.6.2 NON-GOVERNMENTAL ORGANIZATIONS

The Parkway has strong nonprofit advocacy, stewardship, and educational organizations with diverse memberships.

The River Parkway Trust is the primary advocacy and fundraising nonprofit organization with a specific mission to develop and support the Parkway. The River Parkway Trust has over 3,000 members, logs contributions of 22,000 volunteer hours per year, and educates approximately 10,000 children in its programs each year. The River Parkway Trust has secured private donations and grants totaling millions of dollars invested in the Parkway. The River Parkway Trust has agreements with the Conservancy to operate the Conservancy's Sycamore Island, Camp Pashayan, and Ball Ranch. The River Parkway Trust is involved in several Conservancy grants, including current habitat restoration projects on the Conservancy's River West Fresno (Spano) property and Jensen River Ranch. The River Parkway Trust owns and operates the Coke Hallowell River Center, Owl Hollow, and the Hidden Homes trail.

The River Parkway Trust, the Trust for Public Land, and the American Farmland Trust have actively worked with property owners within the Parkway area to help achieve the goals of open space and habitat preservation. Their primary role is to secure land for ultimate acquisition by the Conservancy or other public agencies, or to secure conservation easements.

The Conservancy collaborates with Parkway stewardship and educational programs. The River Parkway Trust, RiverTree Volunteers, City of Fresno PARCS Department, Fresno State, Many Lightnings American Indian Legacy Center, Fresno County Office of Education, Friends of Lost Lake Park, San Joaquin River Stewardship Program, River Partners, and Revive the San Joaquin, among others, are actively involved in native plant restoration, invasive species management, litter cleanup, environmental education, canoe and kayak excursions, nature walks, and other programs and services involving students, volunteers, and members of the public.

The Fresno County Office of Education operates Scout Island, an outdoor education center open to organized school groups within the Parkway.

## 2.7 HISTORY OF THE SAN JOAQUIN RIVER PARKWAY MASTER PLAN

### 2.7.1 1997 MASTER PLAN

The Conservancy Board certified a Program EIR and approved the Interim Parkway Master Plan in December 1997. Relevant portions were incorporated or referenced in local general plans. The goals, objectives, and policies of the Master Plan, and the mitigation measures and commitments of the

## BACKGROUND AND CONTEXT

Program EIR were recompiled in a concise planning document, the Recompiled San Joaquin River Parkway Master Plan (2000). The Interim Parkway Master Plan, Recompiled Master, Draft EIR, Final EIR, Mitigation Monitoring Plan, resolution certifying the EIR, findings of fact, and statement of overriding considerations can be reviewed at [www.sjrc.ca.gov](http://www.sjrc.ca.gov).

The Interim Parkway Master Plan presents goals, objectives, and policies, and envisions future uses, improvements, features, facilities, and management measures. The plan does not delineate the location of specific improvements, since Parkway land had not yet been acquired. The Plan sets forth numerous factors to be considered in locating and developing improvements.

The 1997 Interim Parkway Master Plan and Program EIR continue as the foundation for the phased implementation, and tiered site- and project-specific CEQA review of future Parkway projects.

### 2.7.2 PURPOSE OF THE MASTER PLAN UPDATE

Over the years since the plan was approved, a number of issues necessitated review and revision of the Master Plan and evaluation pursuant to CEQA. The Master Plan Update focuses on those elements of the Interim Master Plan that are clearly out of date. Goals, objectives, policies, commitments, and mitigation measures that are not outdated remain substantially as-is and unchanged. The Master Plan Update can now be more specific about plans for Parkway public lands and many of the originally proposed facilities and features.

The Master Plan Update and EIR provide practical guidance for implementing phased, incremental site- and project-specific environmental review for future Parkway projects. Future projects include, but are not limited to: land and easement acquisitions; habitat restoration and enhancement; public access and low-impact recreation improvements; education and interpretive improvements; non-motorized boat launches and boating rest stops; maintenance and management facilities; ancillary facilities; and associated grants, agreements, operations, services, and programs.

The Master Plan Update is intended to protect the river's environmental, wildlife, cultural, scientific, agricultural, educational, recreational, scenic, and flood conveyance resources, which are of regional and statewide significance. The Parkway promotes public use, while it conserves, enhances, and educates visitors about natural resources that are sensitive and often negatively affected by humans' activities. Many efforts are underway to conserve and restore the river's natural resources, including the SJR Restoration Program's activities and improvements to restore Chinook salmon migration and breeding.

The following are the primary environmental, regulatory, policy, and management changes since 1997 that affect Parkway planning:

- The federal Flood Insurance Rate Maps (FIRM) for the San Joaquin River were revised in 2001;
- The Central Valley Flood Protection Plan;
- The spread of invasive species, primarily scarlet wisteria;

## BACKGROUND AND CONTEXT

- Adoption by the County of Fresno, County of Madera, and City of Fresno of General, Specific, and Community Plan policies that support the Parkway;
- CEQA regulatory changes, including requirements to address climate change;
- The SJR Restoration Program;
- More recently protected and listed species within the Parkway, including in particular the California Tiger Salamander;
- The Central Valley Vision, a planning document developed by the California Department of Parks and Recreation; and
- The Master Plan Update includes digitized map layers to illustrate key elements of the updated plan.

## 2.8 KEY TERMS USED IN THIS DOCUMENT

The following definitions clarify key terms and abbreviations used in this Master Plan Update.

- **San Joaquin River Conservancy (Conservancy):** The California agency created by the State Legislature to develop and manage the San Joaquin River Parkway.
- **San Joaquin River Parkway (Parkway):** Public lands that are acquired, developed, and managed to provide a harmonious combination of low-impact recreation, natural and cultural resources conservation, and educational uses. It is envisioned that the Parkway will eventually be linked from Friant Dam to State Route 99 by a 22 mile-long multiple use trail and contiguous wildlife corridor.
- **San Joaquin River Parkway Interim Master Plan and EIR 1997 (existing, or 1997 Parkway Master Plan):** The San Joaquin River Parkway Interim Master Plan and Environmental Impact Report approved by the Conservancy in 1997. The Plan and EIR's goals, policies, and mitigation measures guide the development of the Parkway.
- **San Joaquin River Parkway Master Plan Update (The Proposed Project or Proposed Plan):** This document presents the proposed updated Parkway Master Plan, and is the Proposed Project to be reviewed in the EIR.
- **San Joaquin River Parkway Planning Area (Parkway Plan Area):** The area eligible for Parkway planning and development by the Conservancy, comprised of lands on both sides of the river from Friant Dam to State Route 99. Floodplain lands below the river's bluffs are the focus of Parkway planning; however, adjoining lands for appurtenant facilities are also eligible for acquisition, improvement, and incorporation into the Parkway.
- **Conservancy Lands:** The lands, or properties, owned by the State of California under the management jurisdiction of the Conservancy.
- **Member Agencies:** Any of the 12 agencies represented on the Conservancy board.



## BACKGROUND AND CONTEXT

- **State Sovereign Lands:** The area of the river between the low water marks, which is in state fee title ownership. These lands are under the jurisdiction of the State Lands Commission.
- **Other Public Parkway Lands:** The lands dedicated to public Parkway purposes and uses, including Parkway lands owned by other State agencies, local agencies, and nonprofit organizations.
- **Natural Reserves:** Natural Reserves, as used in this plan, are specific Conservancy lands or other Parkway public lands designated and managed for habitat conservation, habitat enhancement, with minimal public recreation infrastructure.
- **Ecological Reserves:** Ecological Reserves, as used in this plan, refer to specific CDFW lands designated as units of the San Joaquin River Ecological Reserve managed to provide habitat for a rich diversity of fish, wildlife, and plant species endemic to the region.
- **Restoration:** Restoration, as used in this plan, refers to any effort to enhance or conserve an area in order to provide improved habitat or natural ecosystem functions, especially to disturbed, degraded or poor areas and that involve the use of native vegetation.
- **Low-Impact Recreation:** Low impact recreation is public recreational use compatible with natural and cultural resource protection, as more thoroughly described in this plan. Generally, extensive infrastructure dedicated to more active types of recreation commonly provided in urban parks are not envisioned in areas focusing on “low-impact” recreation.
- **Parkway Multi-Use Trail; Other Trails:** The Parkway multi-use trail is intended to be a continuous, multi-use trail for pedestrian, bicycle, and equestrian uses extending the entire 22-mile length of the Parkway. For continuity, the Parkway multi-use trail will need to cross the river in various locations. It is to be a paved surface trail with a parallel unpaved equestrian trail to support relatively intensive levels of use providing recreation, transportation, and health benefits. In the City of Fresno, the Parkway multi-use trail is referred to as the Lewis S. Eaton Trail.

In addition, the Parkway trail system includes hiking trails, nature trails, spur trails, other multi-use trails, and segments that are Americans with Disabilities Act-compliant. These trails provide internal loops, access routes, and connectivity to and between Parkway features as well as other regional trail and bikeway systems.

- **Sensitive Habitat:** Sensitive habitat includes areas of special biological significance that provide habitat for locally unique biotic species/communities and/or are adjacent to essential habitats of rare, endangered or threatened species. In the Parkway, sensitive habitats are mostly wetland and riparian areas, or any natural community that is vulnerable to the environmental effects of projects.

The following abbreviations are used in the Master Plan Update:

ADA – Americans with Disabilities Act

BMPs – Best Management Practices

CDFW – California Department of Fish and Wildlife

## BACKGROUND AND CONTEXT

cfs – cubic feet per second

DPR – California Department of Parks and Recreation, also referred to as “State Parks”

DWR – California Department of Water Resources

EIR – Environmental Impact Report (DEIR – Draft EIR)

ER – A unit of the San Joaquin River Ecological Reserve

FCOE – Fresno County of Education

PRC – Public Resources Code

RV – recreational vehicle

SJRC – San Joaquin River Conservancy (Conservancy)

SJRPCT – San Joaquin River Parkway & Conservation Trust (River Parkway Trust)

SLC – State Lands Commission

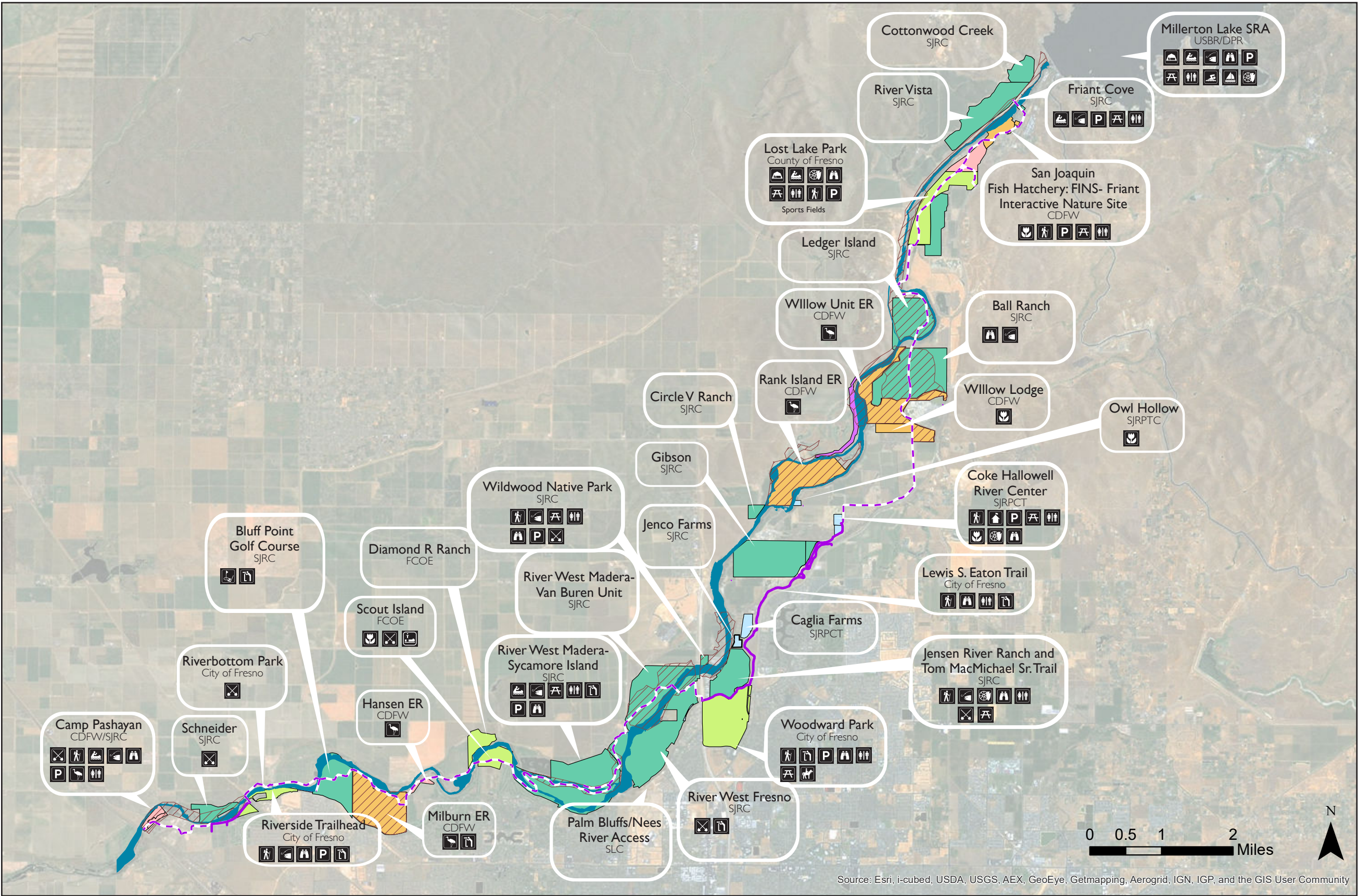
SJRRP – San Joaquin River Restoration Program (SJR Restoration Program)

USBR – United States Bureau of Reclamation

WCB – Wildlife Conservation Board



## BACKGROUND AND CONTEXT

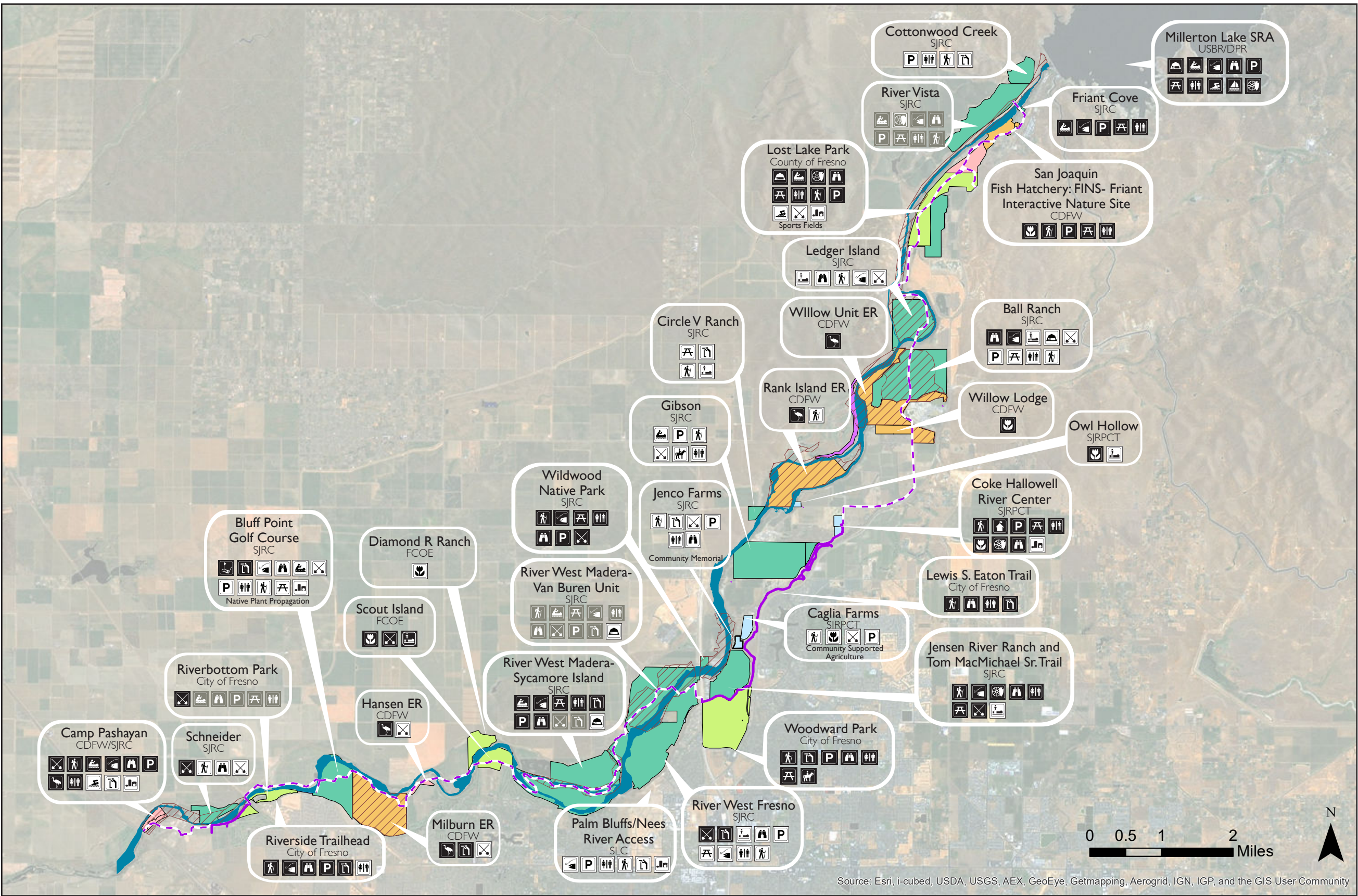


2017 Update

Planned trail alignments, especially those shown on private property, are shown only for illustrative purposes. The location of all Parkway facilities are subject to acquiring property or easements from willing sellers, site- and project-specific design, environmental review, and public participation.

Source: Esri, i-cubed, USDA, USGS, AEX, GeoEye, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community





Icon Hierarchy

- Black: Existing Features
- Grey: Planned Features
- White: Opportunity Features

Features

- Camping
- Canoe Launch
- Canoe Rest Stop
- Concessions
- Conservation Education
- Cultural Interest
- Fishing
- Golf
- Marina
- Nature Observation
- Equestrian Facility
- Interpretive/ Visitor Center
- Parking
- Picnic
- Ecological Reserve
- Restoration
- Restrooms
- Swim
- Trails
- Vista/ Overlook

OWNERSHIP

- CONSERVANCY (SJRC)
- DEPT. OF FISH AND WILDLIFE (CDFW)
- JOINT OWNERSHIP
- LOCAL AGENCY
- STATE LANDS COMMISSION (SLC)
- SJR PARKWAY & CONSERVATION TRUST (SJRPCT)

HABITAT FOCUS AREAS

- HABITAT FOCUS AREAS

2017 Update

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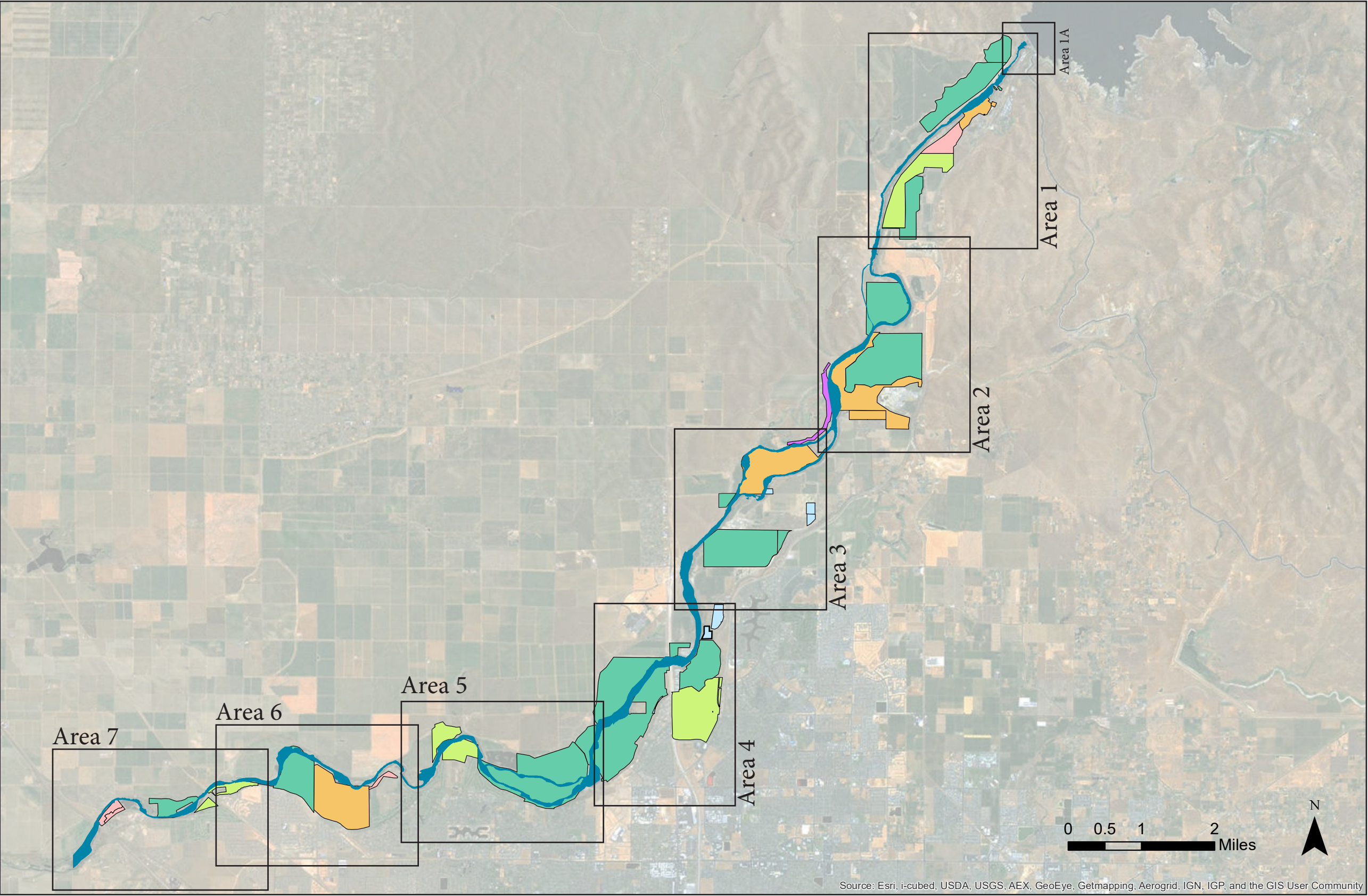
Source: Esri, i-cubed, USDA, USGS, AEX, GeoEye, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community



# San Joaquin River Parkway Master Plan Update

## Comparison of Trails and River Crossings - 1995 Master Plan and Preliminary Update

Figure 5-3  
AREA LOCATOR



### 2017 Update

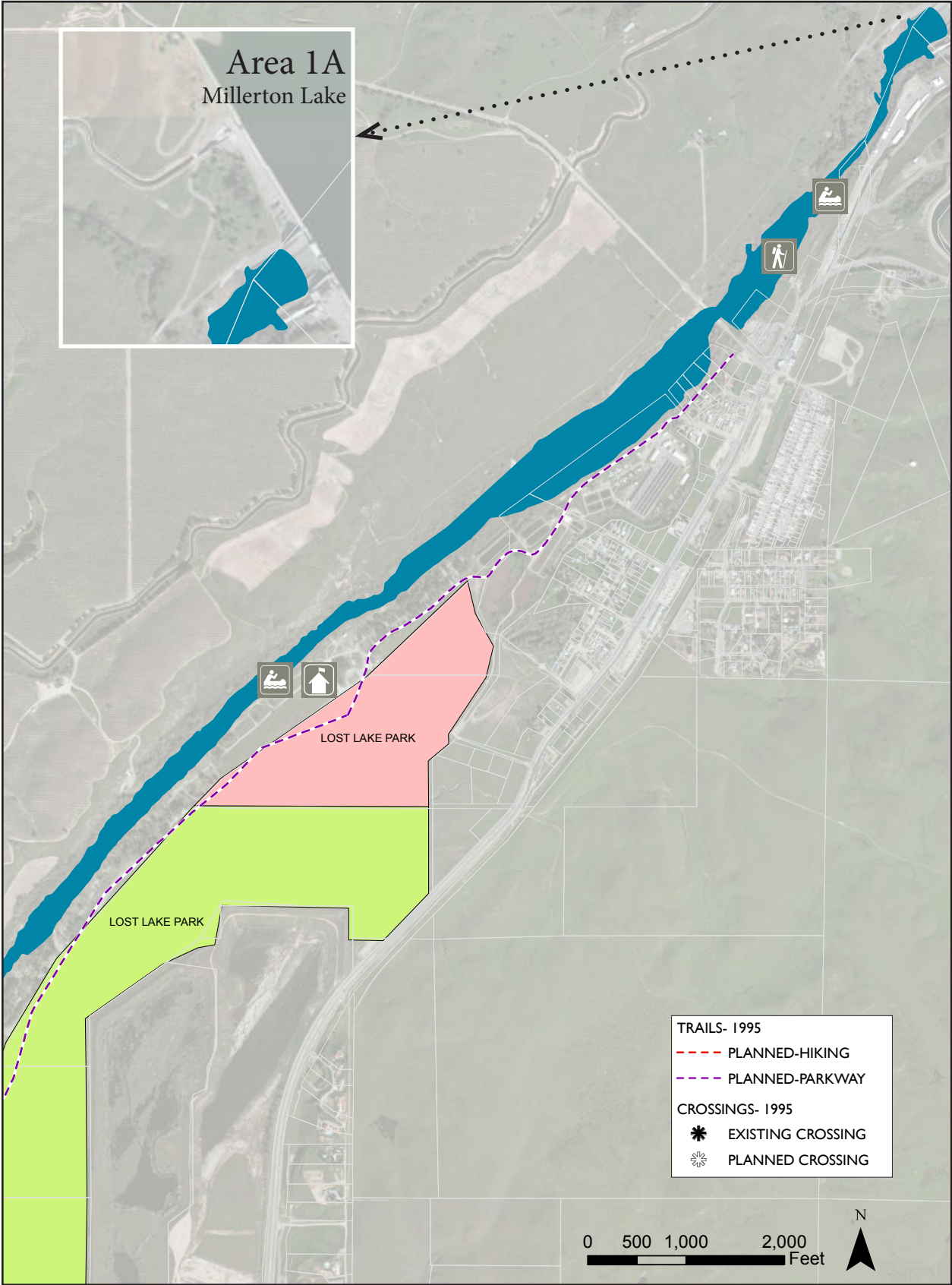
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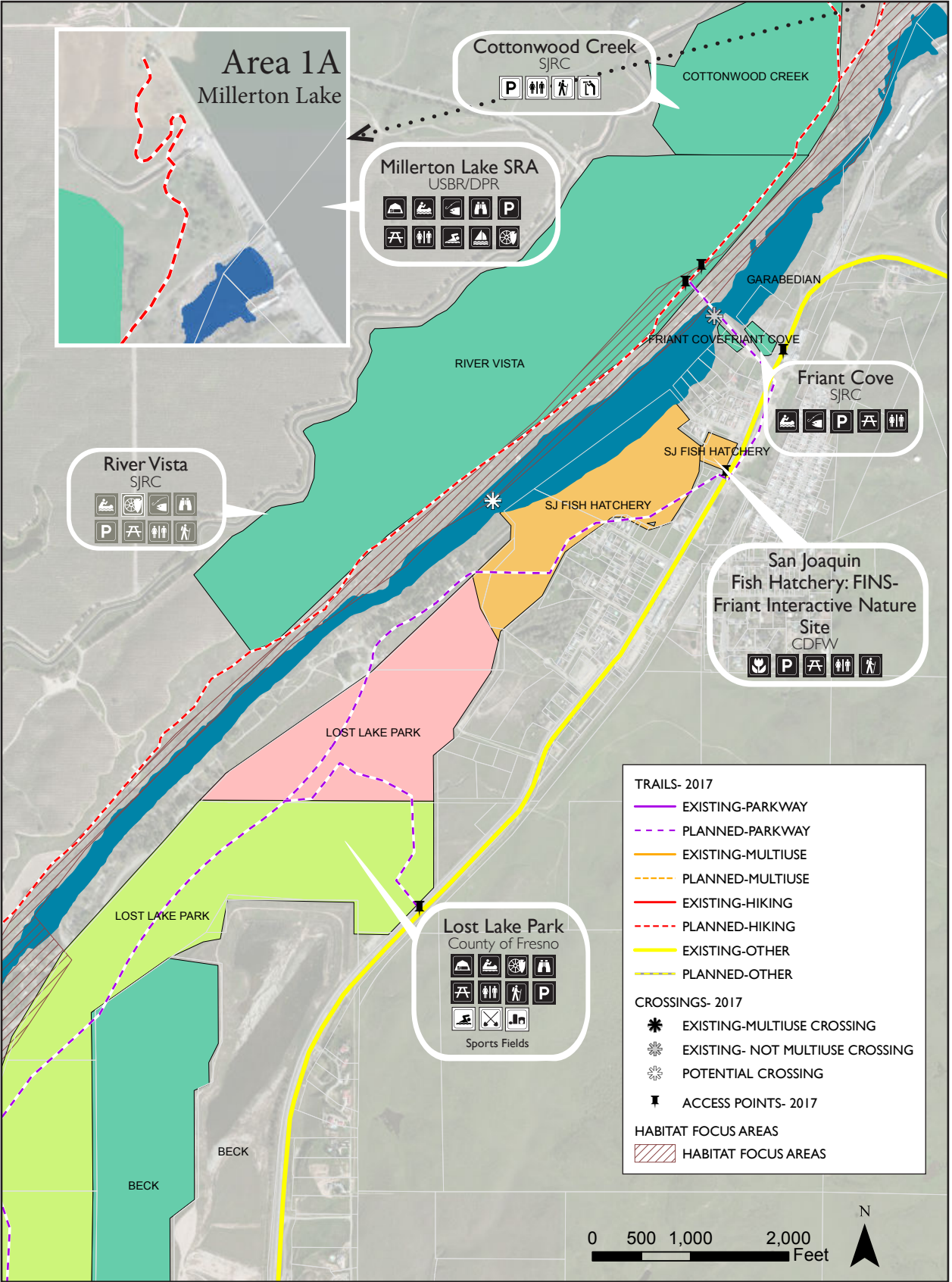
# San Joaquin River Parkway Master Plan Update

## Comparison of Trails and River Crossings - 1995 Master Plan and Preliminary Update

Figure 5-4  
AREA I OF 7



1995 Parkway Master Plan



2017 Update- Preliminary

- OWNERSHIP**
- CONSERVANCY (SJRC)
  - DEPT. OF FISH AND WILDLIFE (CDFW)
  - JOINT OWNERSHIP
  - LOCAL AGENCY
  - STATE LANDS COMMISSION (SLC)
  - SJR PARKWAY & CONSERVATION TRUST (SJRPCT)
- HABITAT FOCUS AREAS**
- HABITAT FOCUS AREAS

### 2017 Update

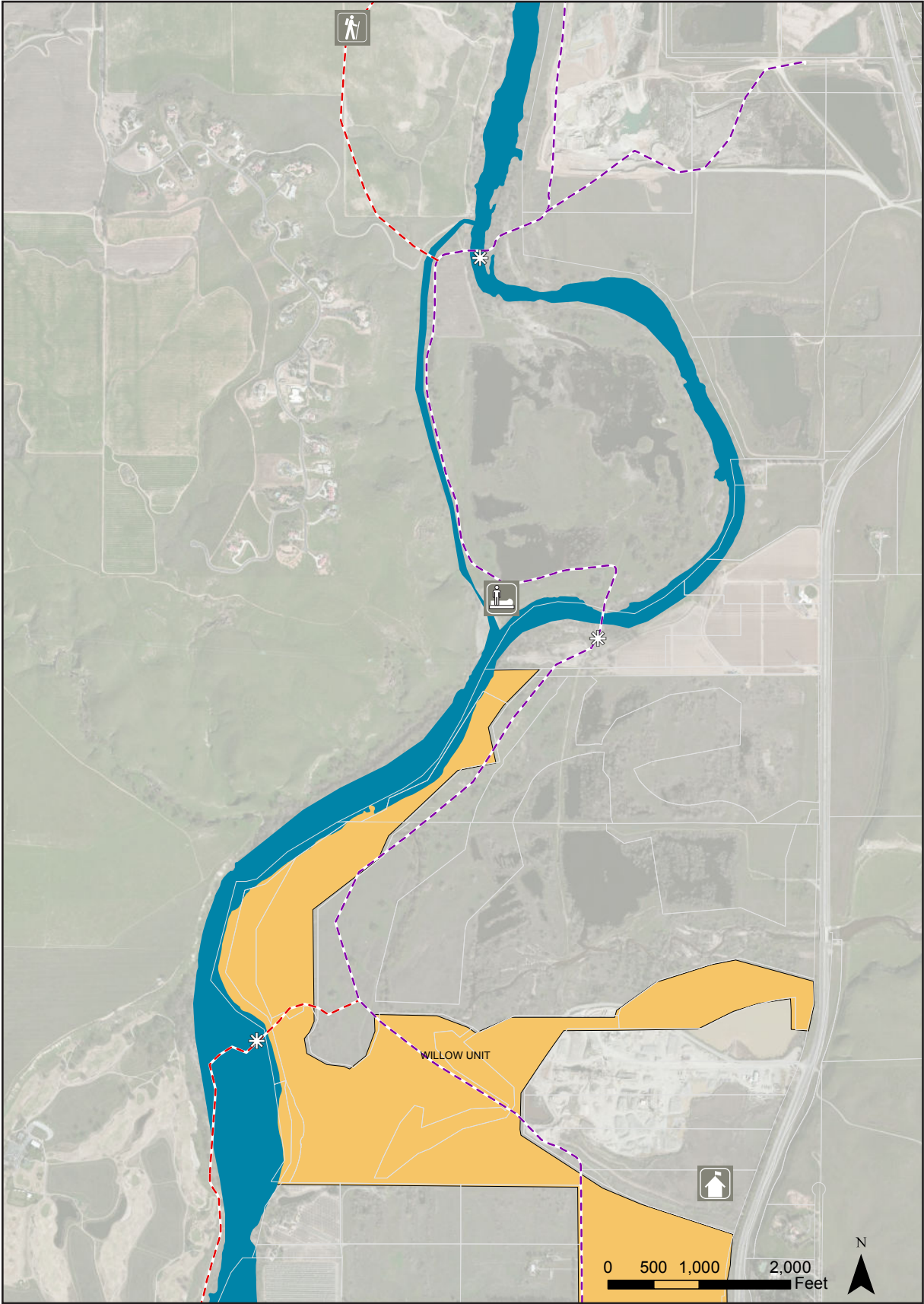
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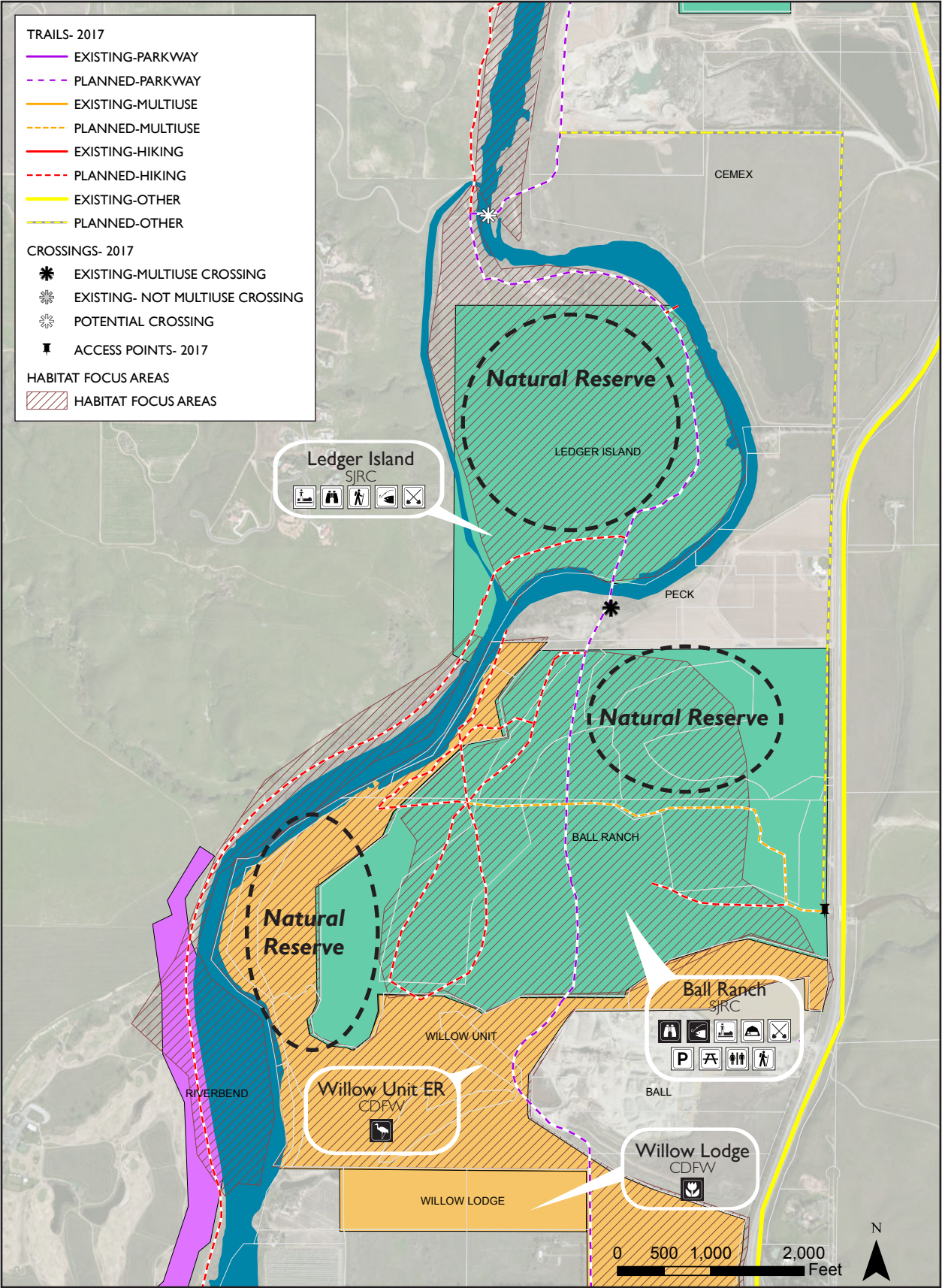
# San Joaquin River Parkway Master Plan Update

## Comparison of Trails and River Crossings - 1995 Master Plan and Preliminary Update

Figure 5-5  
AREA 2 OF 7



1995 Parkway Master Plan



2017 Update- Preliminary

### 2017 Update

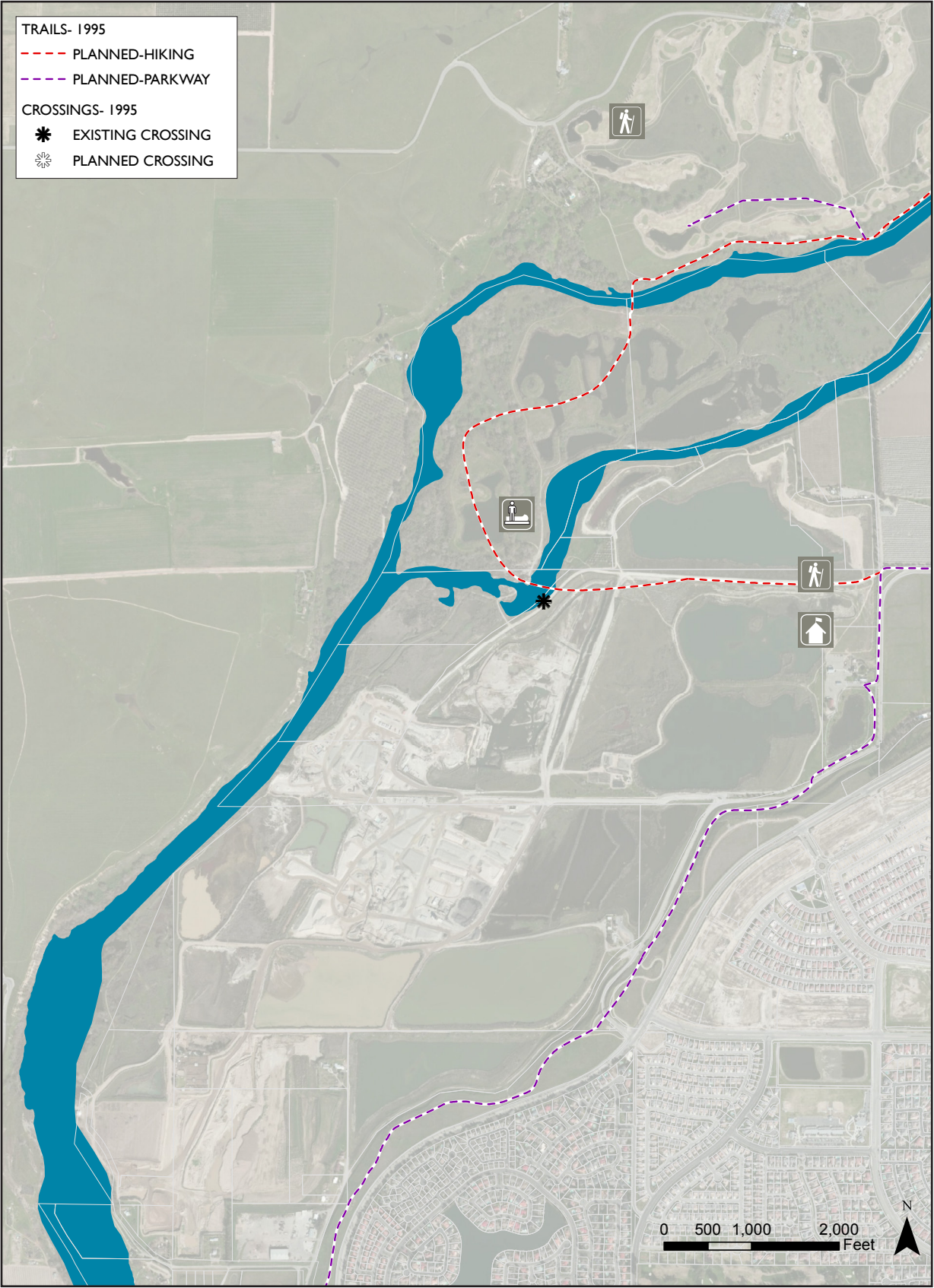
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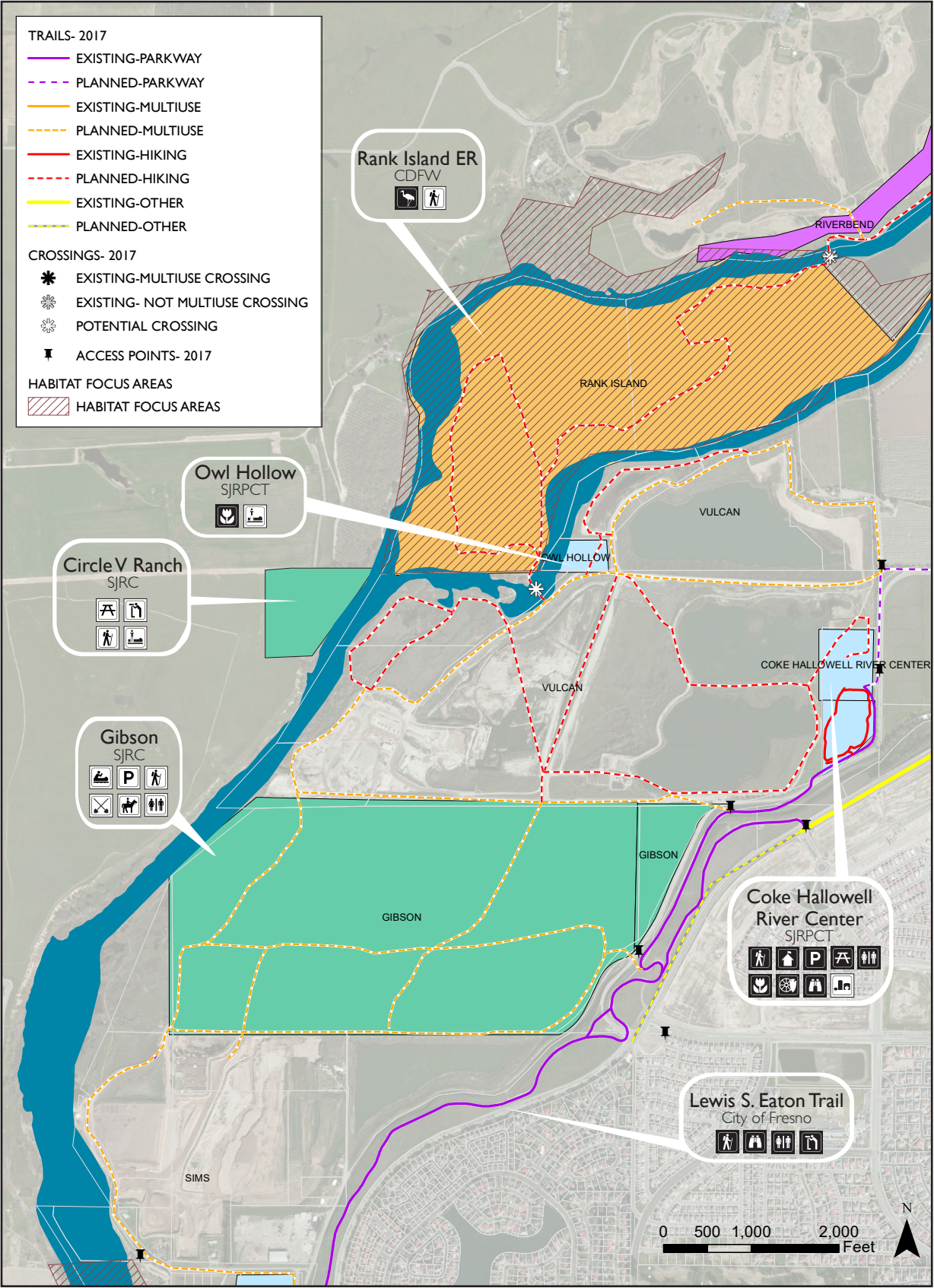
# San Joaquin River Parkway Master Plan Update

## Comparison of Trails and River Crossings - 1995 Master Plan and Preliminary Update

Figure 5-6  
AREA 3 OF 7



1995 Parkway Master Plan



2017 Update- Preliminary

- OWNERSHIP**
- CONSERVANCY (SJRC) (green)
  - DEPT. OF FISH AND WILDLIFE (CDFW) (orange)
  - JOINT OWNERSHIP (pink)
  - LOCAL AGENCY (light green)
  - STATE LANDS COMMISSION (SLC) (purple)
  - SJR PARKWAY & CONSERVATION TRUST (SJRPT) (blue)
- HABITAT FOCUS AREAS**
- HABITAT FOCUS AREAS (hatched pattern)

### 2017 Update

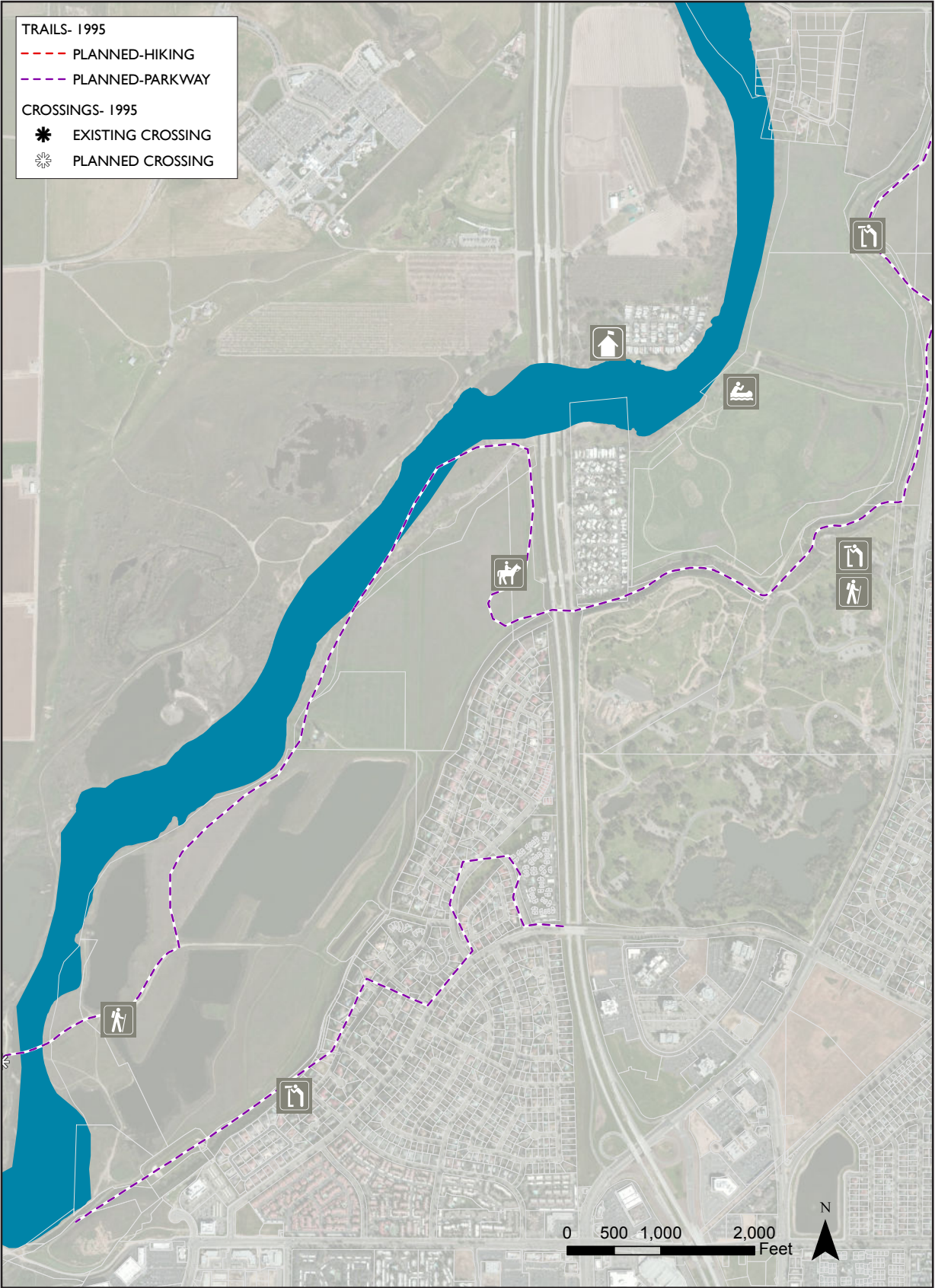
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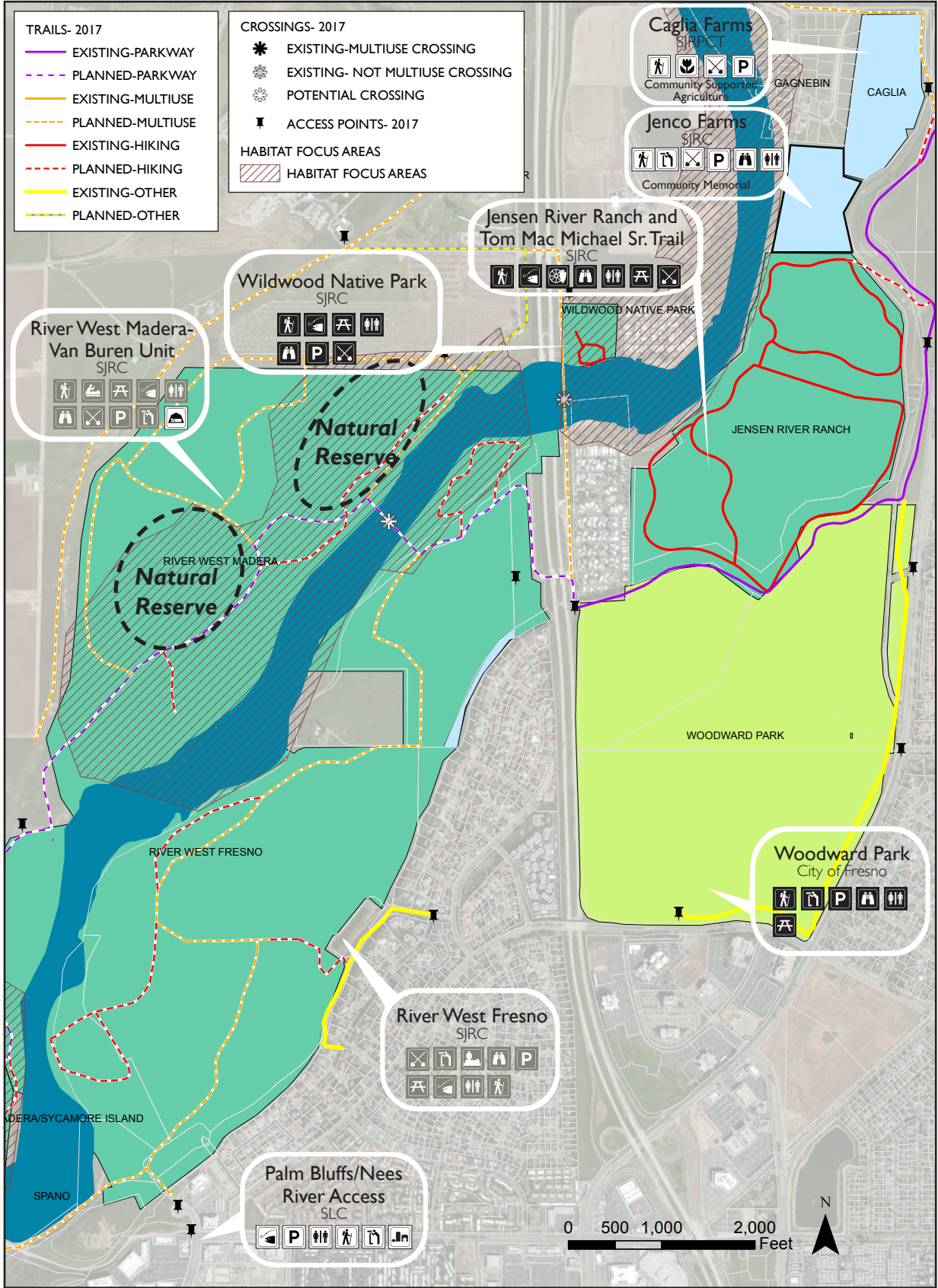
# San Joaquin River Parkway Master Plan Update

## Comparison of Trails and River Crossings - 1995 Master Plan and Preliminary Update

Figure 5-7  
AREA 4 OF 7



1995 Parkway Master Plan



2017 Update- Preliminary

- OWNERSHIP**
- CONSERVANCY (SJRC)
  - DEPT. OF FISH AND WILDLIFE (CDFW)
  - JOINT OWNERSHIP
  - LOCAL AGENCY
  - STATE LANDS COMMISSION (SLC)
  - SJR PARKWAY & CONSERVATION TRUST (SJRPCT)
- HABITAT FOCUS AREAS**
- HABITAT FOCUS AREAS

### 2017 Update

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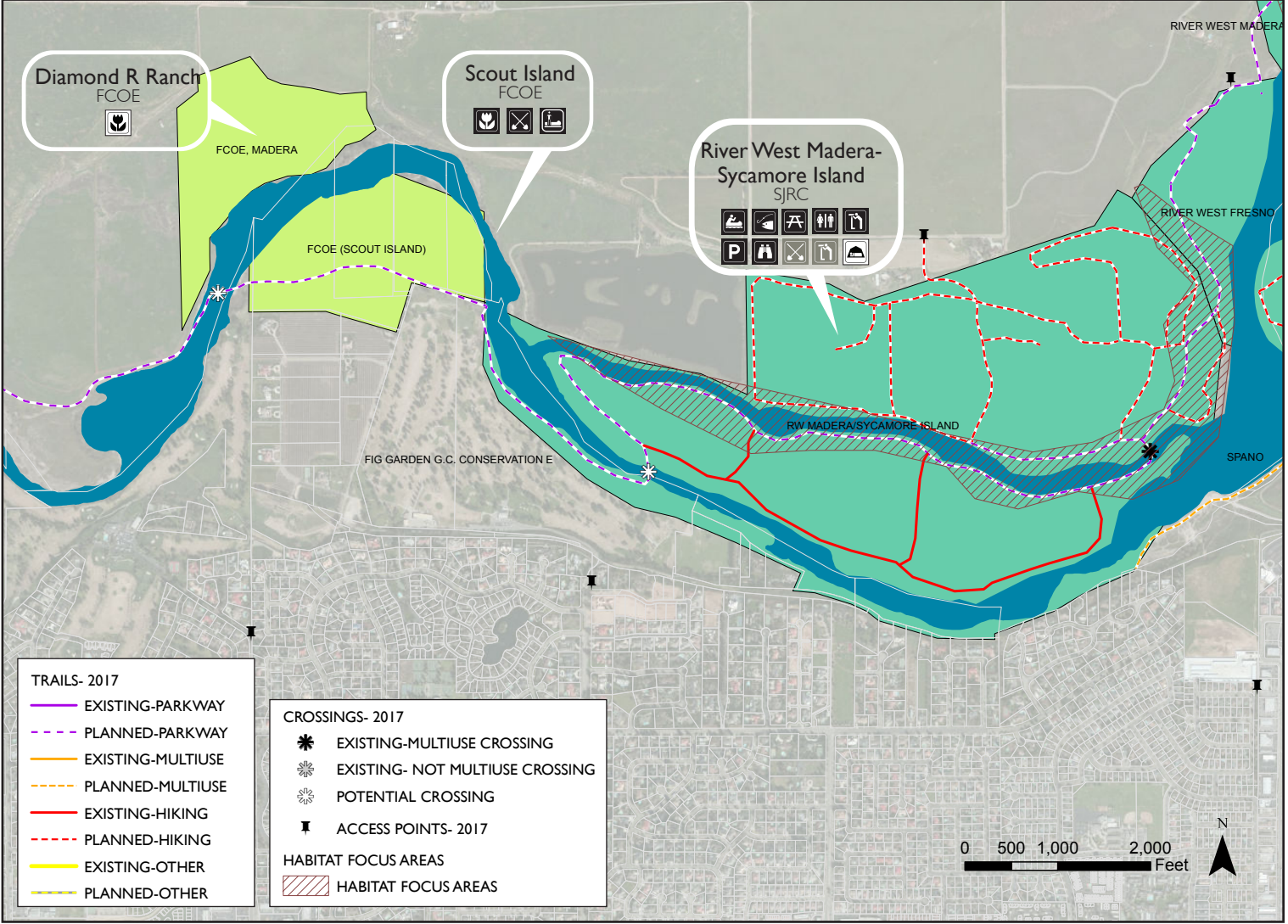
# San Joaquin River Parkway Master Plan Update

## Comparison of Trails and River Crossings - 1995 Master Plan and Preliminary Update

Figure 5-8  
AREA 5 OF 7



1995 Parkway Master Plan



2017 Update- Preliminary

### 2017 Update

- OWNERSHIP**
- CONSERVANCY (SJRC)
  - DEPT. OF FISH AND WILDLIFE (CDFW)
  - JOINT OWNERSHIP
  - LOCAL AGENCY
  - STATE LANDS COMMISSION (SLC)
  - SJR PARKWAY & CONSERVATION TRUST (SJRPT)
- HABITAT FOCUS AREAS**
- HABITAT FOCUS AREAS

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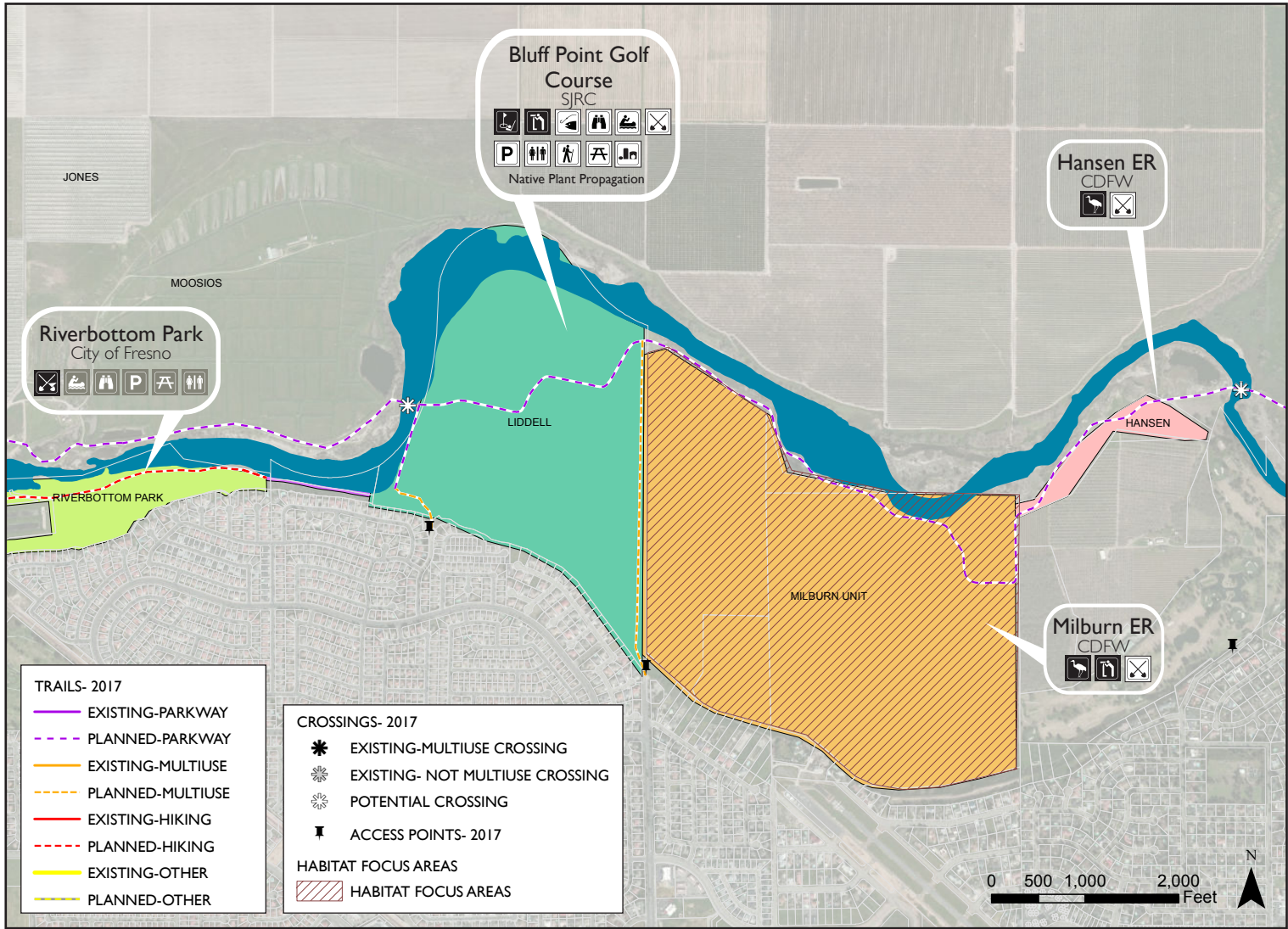
# San Joaquin River Parkway Master Plan Update

## Comparison of Trails and River Crossings - 1995 Master Plan and Preliminary Update

Figure 5-9  
AREA 6 OF 7



1995 Parkway Master Plan



2017 Update- Preliminary

### 2017 Update

- OWNERSHIP**
- CONSERVANCY (SJRC)
  - DEPT. OF FISH AND WILDLIFE (CDFW)
  - JOINT OWNERSHIP
  - LOCAL AGENCY
  - STATE LANDS COMMISSION (SLC)
  - SJR PARKWAY & CONSERVATION TRUST (SJRPCT)
- HABITAT FOCUS AREAS**
- HABITAT FOCUS AREAS

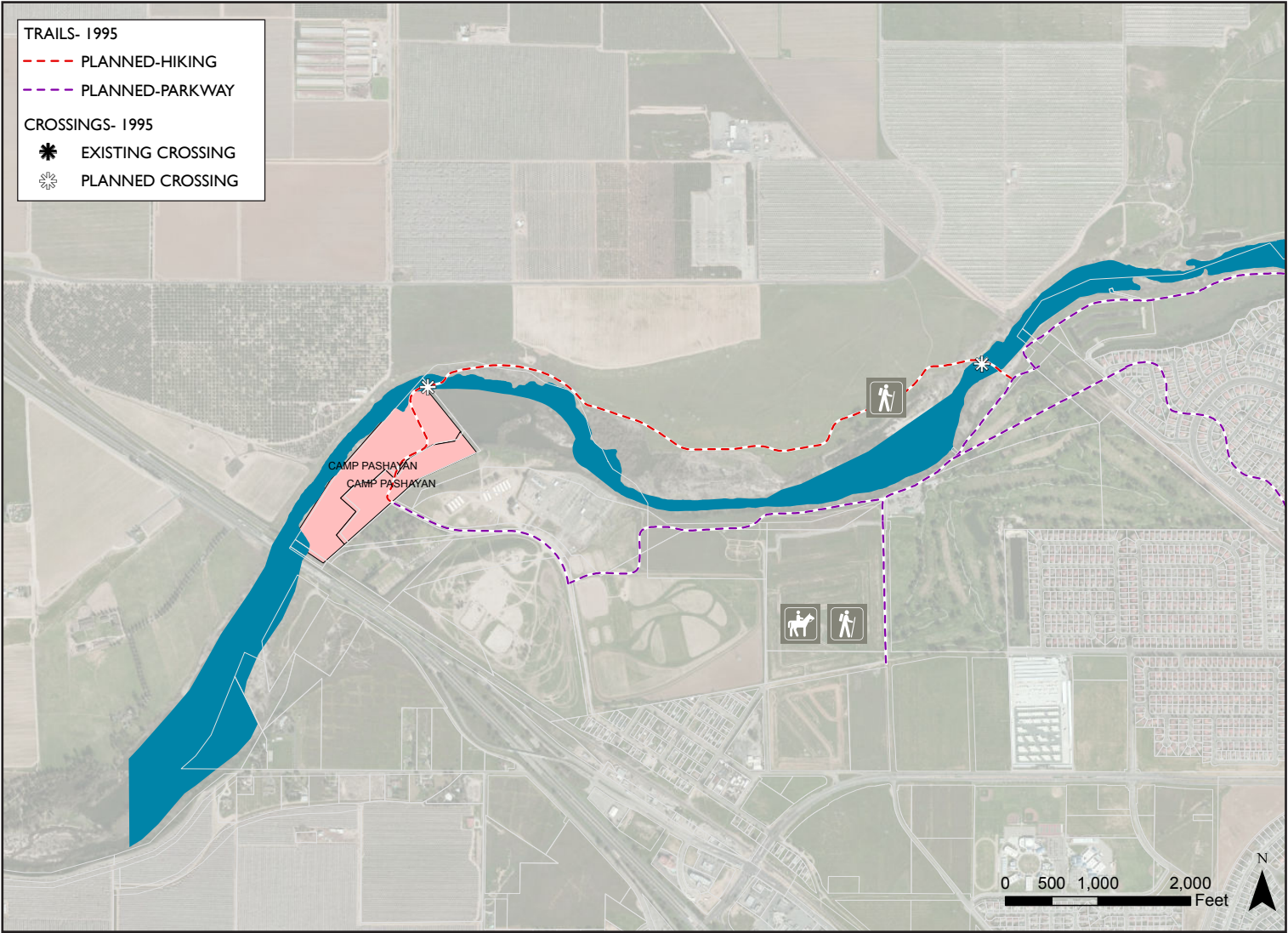
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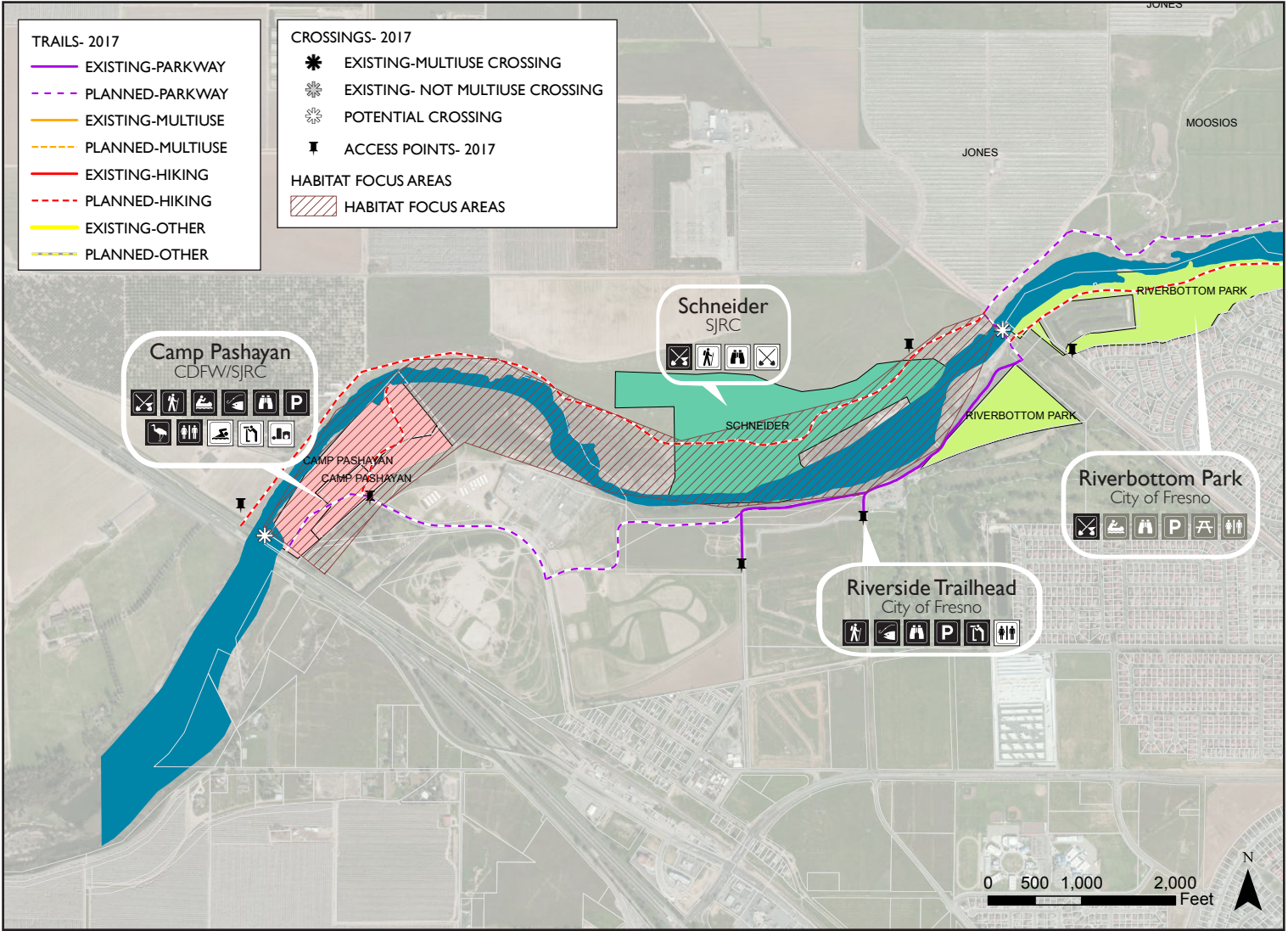
# San Joaquin River Parkway Master Plan Update

## Comparison of Trails and River Crossings - 1995 Master Plan and Preliminary Update

Figure 5-10  
AREA 7 OF 7



1995 Parkway Master Plan



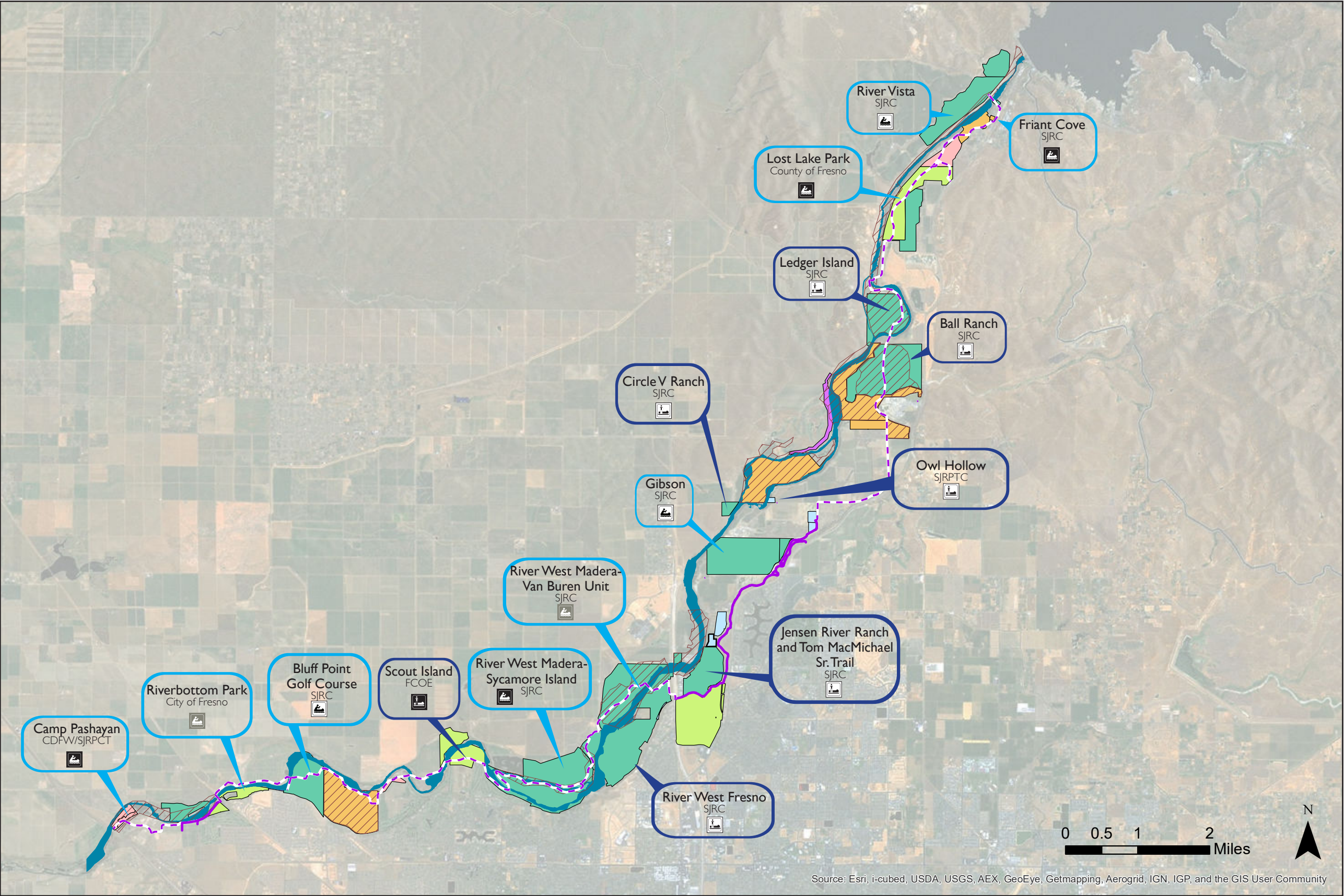
2017 Update- Preliminary

### 2017 Update

- OWNERSHIP
- CONSERVANCY (SJRC)
  - DEPT. OF FISH AND WILDLIFE (CDFW)
  - JOINT OWNERSHIP
  - LOCAL AGENCY
  - STATE LANDS COMMISSION (SLC)
  - SJR PARKWAY & CONSERVATION TRUST (SJRPCT)
- HABITAT FOCUS AREAS
- HABITAT FOCUS AREAS

Planned trail alignments, especially those shown on private property, are shown only for illustrative purposes. The location of all Parkway facilities are subject to acquiring property or easements from willing sellers, site- and project-specific design, environmental review, and public participation.





**Icon Hierarchy**

- Black: Existing Features
- Grey: Planned Features
- White: Opportunity Features

**Features**

- Canoe Launch
- Canoe Rest Stop

**OWNERSHIP**

- CONSERVANCY (SJRC)
- DEPT. OF FISH AND WILDLIFE (CDFW)
- JOINT OWNERSHIP
- LOCAL AGENCY
- STATE LANDS COMMISSION (SLC)
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**HABITAT FOCUS AREAS**

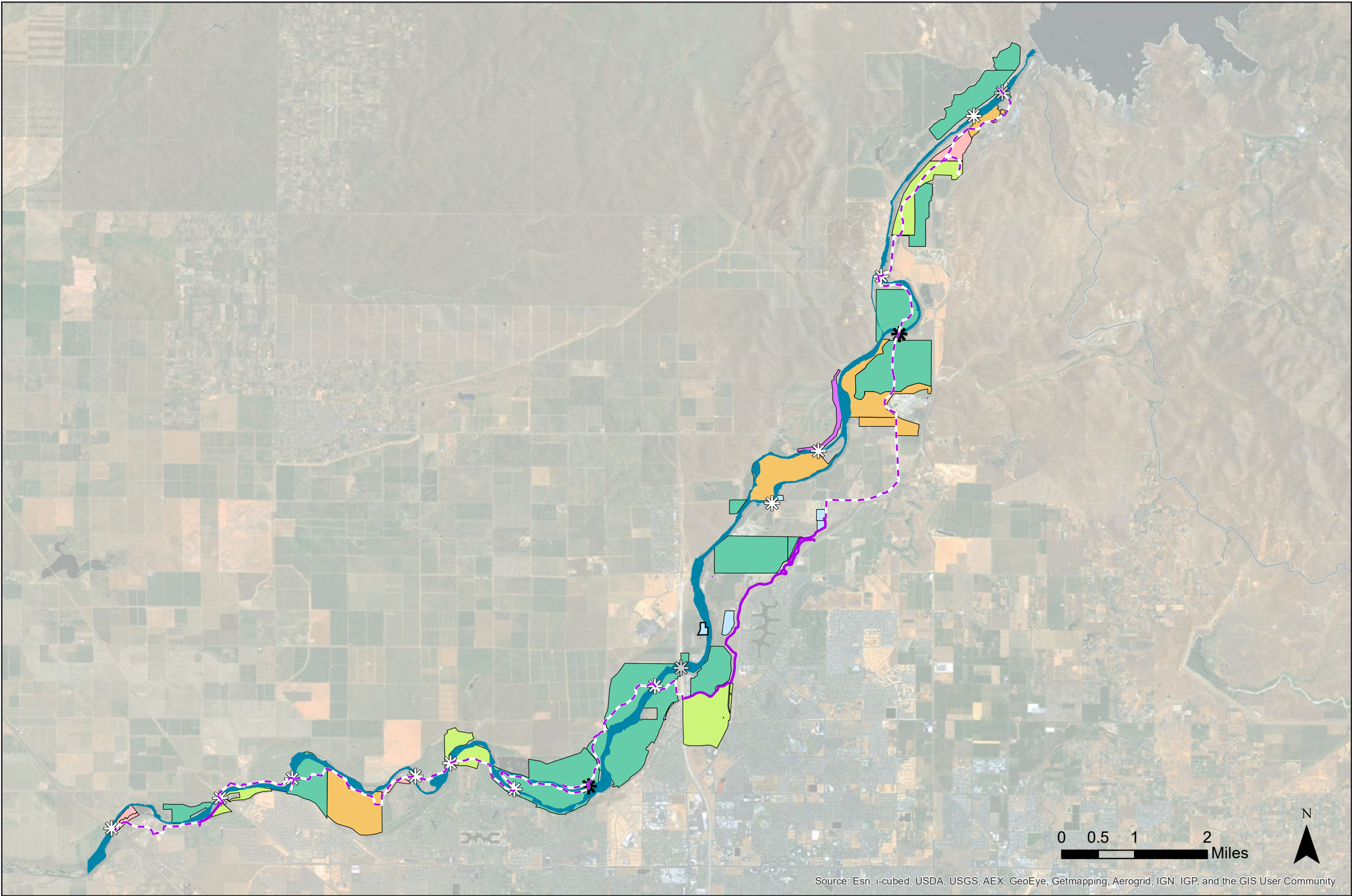
- HABITAT FOCUS AREAS

2017 Update

Planned trail alignments, especially those shown on private property, are shown only for illustrative purposes. The location of all Parkway facilities are subject to acquiring property or easements from willing sellers, site- and project-specific design, environmental review, and public participation.

Source: Esri, i-cubed, USDA, USGS, AEX, GeoEye, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community





LEGEND

- TRAILS- 2017
- EXISTING-PARKWAY
  - PLANNED-PARKWAY
- CROSSINGS- 2017
- EXISTING-MULTIUSE CROSSING
  - EXISTING- NOT MULTIUSE CROSSING
  - POTENTIAL CROSSING
  - ACCESS POINTS- 2017
- OWNERSHIP
- CONSERVANCY (SJRC)
  - DEPT. OF FISH AND WILDLIFE (CDFW)
  - JOINT OWNERSHIP
  - LOCAL AGENCY
  - STATE LANDS COMMISSION (SLC)
  - SJR PARKWAY & CONSERVATION TRUST (SJRPT)
- HABITAT FOCUS AREAS
- HABITAT FOCUS AREAS

2017 Update

Planned trail alignments, especially those shown on private property, are shown only for illustrative purposes. The location of all Parkway facilities are subject to acquiring property or easements from willing sellers, site- and project-specific design, environmental review, and public participation.

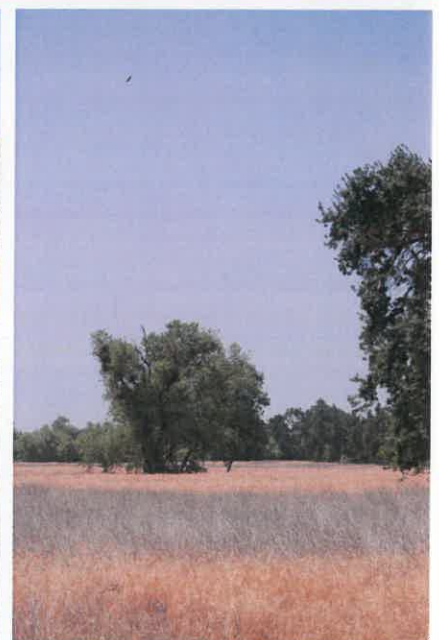




# SAN JOAQUIN RIVER PARKWAY MASTER PLAN UPDATE

SAN JOAQUIN RIVER CONSERVANCY

**MARCH 2018 FINAL EIR**  
STATE CLEARINGHOUSE NO. 2013061035







## 2. Executive Summary

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This chapter presents an overview of the proposed San Joaquin River Parkway Master Plan Update, herein referred to as “Project.” This executive summary also provides a summary of the alternatives to the Project, identifies issues to be resolved, areas of controversy, and conclusions of the analysis contained in Chapters 4.1 through 4.16, of the Draft Environmental Impact Report (Draft EIR). For a complete description of the Project, please see Chapter 3, Project Description, of the Draft EIR. For a complete discussion of Project Alternatives, please see Chapter 6 of the Draft EIR, Alternatives to the Project.

The Draft EIR addresses the environmental effects associated with the implementation of the Project. The California Environmental Quality Act (CEQA) requires that government agencies, prior to taking action on projects over which they have discretionary approval authority, consider the environmental consequences of such projects. An EIR is a public document designed to provide the public, and local and State governmental agency decision-makers with an analysis of potential environmental consequences to support informed decision-making.

The Draft EIR and this Final EIR have been prepared pursuant to the requirements of CEQA<sup>1</sup> and the State CEQA Guidelines<sup>2</sup> to determine if approval of the identified discretionary actions and related subsequent development could have a significant impact on the environment. The San Joaquin River Conservancy, as the Lead Agency, has reviewed and revised as necessary submitted drafts, technical studies, and reports to reflect its own independent judgment, including reliance on applicable Conservancy technical personnel and review of all technical consultant reports. Information for the Draft EIR was obtained from: on-site field observations; discussions with affected agencies; analysis of adopted plans and policies; review of available studies, reports, data, and similar literature in the public domain; and specialized environmental assessments (e.g., air quality, greenhouse gas emissions, noise, geotechnical and transportation and traffic).

### 2.1 ENVIRONMENTAL PROCEDURES

The Draft EIR was prepared to assess the environmental effects associated with implementation of the Project, as well as anticipated future discretionary actions and approvals. The six main objectives of the Draft EIR as established by CEQA are:

- To disclose to decision-makers and the public the significant environmental effects of proposed activities.

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<sup>1</sup> California Public Resources Code, Division 13, Section 2100, et seq.

<sup>2</sup> Title 14 of the California Code of Regulations, Division 6, Chapter 3, Section 15000, et seq.

## EXECUTIVE SUMMARY

- To identify ways to avoid or reduce environmental damage.
- To prevent environmental damage by requiring implementation of feasible alternatives or mitigation measures.
- To disclose to the public reasons for agency approval of projects with significant environmental effects.
- To foster interagency coordination in the review of projects.
- To enhance public participation in the planning process.

An EIR is the most comprehensive form of environmental documentation identified in the CEQA statute and in the CEQA Guidelines. It provides the information needed to assess the environmental consequences of a proposed project, to the extent feasible. EIRs are intended to provide an objective, factually supported, full-disclosure analysis of the environmental consequences associated with a proposed project that has the potential to result in significant, adverse environmental impacts. An EIR is also one of various decision-making tools used by a lead agency to consider the merits and disadvantages of a project that is subject to its discretionary authority. Prior to approving a proposed project, the lead agency must consider the information contained in the EIR, determine whether the EIR was properly prepared in accordance with CEQA and the CEQA Guidelines, determine that it reflects the independent judgment of the lead agency, adopt findings concerning the project's significant environmental impacts and alternatives, and adopt a Statement of Overriding Considerations if the proposed project would result in significant impacts that cannot be avoided.

### 2.1.1 DRAFT EIR ORGANIZATION

The Draft EIR is organized into the following chapters:

- **Chapter 1: Executive Summary.** Summarizes Project location, overview, and environmental consequences that would result from implementation of the Project, describes recommended mitigation measures, and indicates level of significance of environmental impacts with and without mitigation.
- **Chapter 2: Introduction.** Provides an overview of the Draft EIR document.
- **Chapter 3: Project Description.** Describes the Project in detail, including the Project site location and characteristics, Project objectives, and the structural and technical elements of the proposed action.
- **Chapter 4: Environmental Analysis.** This chapter is divided into 16 subchapters. Each subchapter corresponds to the environmental resource categories identified in CEQA Guidelines Appendix F, Energy Conservation, and Appendix G, Environmental Checklist, as amended per Assembly Bill 52 (Tribal Cultural Resources) and the California Supreme Court in a December 2015 opinion [*California Building Industry Association (CBIA) v. Bay Area Air Quality Management District (BAAQMD)*, 62 Cal. 4th 369 (No. S 213478)]. This chapter provides a description of the physical environmental conditions within the Parkway Plan Area, as they existed at the time the Notice of Preparation was published,

## EXECUTIVE SUMMARY

from both a local and regional perspective, as well as an analysis of the potential environmental impacts of the proposed Project, and recommended mitigation measures, if required, to reduce their significance. The environmental setting included in each subchapter provides baseline physical conditions from which the Conservancy, acting as the lead agency, will determine the significance of environmental impacts resulting from the proposed Project. Each subchapter also includes a description of the thresholds used to determine if a significant impact would occur; the methodology to identify and evaluate the potential impacts of the proposed Project; and the potential cumulative impacts associated with the proposed Project.

- **Chapter 5: Significant and Unavoidable Adverse Impacts.** Describes the significant unavoidable adverse impacts of the Project.
- **Chapter 6: Alternatives to the Project.** Considers two alternatives to the Project, including the CEQA-required “No Project Alternative.”
- **Chapter 7: CEQA Mandated Sections.** Discusses growth inducement, unavoidable significant effects, and significant irreversible changes of the Project.
- **Chapter 8: Organizations and Persons Consulted.** Identifies the preparers of the Draft EIR.
- **Appendices.** The appendices for the Draft EIR contain the following supporting documents:
  - Appendix A: NOP & Initial Study
  - Appendix B: Scoping Comments
  - Appendix C: San Joaquin River Parkway Master Plan Update
  - Appendix D: Air Quality & Greenhouse Gas Assumptions
  - Appendix E: Biological Resources
  - Appendix F: Cultural Resources Existing Conditions Report
  - Appendix G: Transportation & Traffic

### 2.1.2 FINAL EIR ORGANIZATION

The Draft EIR combined with this document comprise the Final EIR for the proposed Project. This document is organized into the following chapters:

- **Chapter 1: Introduction.** This chapter discusses the use and organization of this document.
- **Chapter 2: Executive Summary.** This chapter provides an overview summary of: the proposed project; environmental review procedures; alternatives examined; significant impacts and mitigation measures identified in the Draft EIR; and other conclusions from the Draft EIR.
- **Chapter 3: Revisions to the Draft EIR.** This chapter presents revisions and corrections to the text and graphics of the Draft EIR and the Master Plan Update. Underline text represents language that has been added, and text with ~~striketrough~~ represents language that has been deleted.
- **Chapter 4: List of Commenters.** This chapter provides a list of agencies and individuals who commented on the Draft EIR.

## EXECUTIVE SUMMARY

- **Chapter 5: Comments and Responses.** This chapter lists the comments received from agencies and the public on the Draft EIR, and provides responses to those comments.
- **Appendices.** The appendices for this document contain the following supporting documents:
  - Appendix H: Comment Letters including any attachments
  - Appendix I: City of Fresno 2035 General Plan Update Consistency Analysis

## 2.2 TYPE AND PURPOSE OF THIS EIR

According to Section 15121(a) of the CEQA Guidelines, the purpose of an EIR is to:

*Inform public agency decision makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.*

Because of the long-term planning horizon of the proposed Project, and the acquisition, permitting, planning, and development actions that are related both geographically and as logical parts in the chain of contemplated actions for implementation, the Draft EIR was prepared as a program EIR for the proposed project, pursuant to Section 15168 of the CEQA Guidelines.

Once a program EIR has been certified, subsequent activities within the program must be evaluated to determine whether additional CEQA review is required. If the program EIR addresses the program's effects as specifically and comprehensively as possible, subsequent activities could be found to be within the program EIR scope, and additional environmental review may not be required (CEQA Guidelines Section 15168[c]). When a program EIR is relied on for a subsequent activity, the lead agency must incorporate feasible mitigation measures and alternatives developed in the program EIR into the subsequent activities (CEQA Guidelines Section 15168[c][3]). If a subsequent activity would have effects that are not within the scope of a program EIR, the lead agency must prepare a new Initial Study leading to a Negative Declaration, a Mitigated Negative Declaration, or an EIR. For these subsequent environmental review documents, this program EIR will serve as the first-tier environmental analysis.

## 2.3 PROJECT SUMMARY

The Conservancy is proposing to update the existing San Joaquin River Parkway Interim Master Plan, which was adopted in December 1997 by the Conservancy. The proposed Plan will serve as the document that will guide future improvements to the Parkway incrementally and in phases over many years. As such, the proposed Plan includes goals, policies, and conceptual improvement projects and opportunities under which Parkway development would be pursued and implemented. Future projects under the plan will be reviewed under California Environmental Quality Act (CEQA) requirements, as needed, to determine potential impacts and mitigation measures on a site-specific basis.

## EXECUTIVE SUMMARY

The Draft EIR analyzed alternatives to the proposed Project that may feasibly attain some of the Project objectives. A total of two were analyzed in detail. They are listed below, and each is described and analyzed in Chapter 6 of the Draft EIR.

## 2.4 SUMMARY OF ALTERNATIVES TO THE PROJECT

### 2.4.1 NO-PROJECT ALTERNATIVE

Consistent with Section 15126.6(e)(2) of the CEQA Guidelines, under the No Project Alternative, the existing San Joaquin River Master Plan, adopted in December 1997, would remain in effect. This alternative would continue to implement the existing 1997 Parkway Master Plan and would generally meet the project objectives, with the exception of the objective of cohesively generating environmental benefits and mitigating the impacts of Parkway development, rather than relying to a much greater extent on project-specific, incremental mitigation. This alternative would not comprehensively implement the updated policies of the Master Plan Update, nor would it implement the mitigation requirements identified in the Draft EIR.

### 2.4.2 INCREASED NATURAL RESERVES ALTERNATIVE

Under the Increased Natural Reserves alternative, the proposed Project would continue to be implemented; however, the focus would shift to increasing natural reserves through land acquisitions, and not enhance or increase the existing network of multi-use trails or other public access and recreation improvements. Under this alternative, the overall land area of natural reserves would be increased and the public access facilities would remain similar to existing conditions; therefore, trail connections and other public access improvements would be minimal. As such, fewer recreation and education facilities and trail enhancements would occur, thereby, reducing visitation and further opportunities for low-impact recreation compared to the proposed Project. Under this alternative the same goals and policies as included in the proposed Project would be applicable. This alternative would not meet the project objectives, the statutory mission of the San Joaquin Conservancy, the mandate of the San Joaquin River Conservancy Act, nor achieve the purposes of the San Joaquin River Parkway, as it would not provide for low impact public recreation.

## 2.5 ISSUES TO BE RESOLVED

Section 15123(b)(3) of CEQA Guidelines requires that an EIR identify issues to be resolved, including the choice among alternatives and whether or how to mitigate significant impacts. With regard to the proposed Plan, the major issues identified in the Draft EIR to be resolved include decisions by the San Joaquin River Conservancy, as the lead agency, related to:

- Whether the Draft EIR adequately describes the environmental impact of the Plan.

## EXECUTIVE SUMMARY

- Whether the proposed land use changes are compatible with the character of the existing area.
- Whether the identified mitigation measures should be adopted or modified.
- Whether there are other mitigation measures that should be applied to the Plan in addition to or instead of the mitigation measures identified in the Draft EIR.
- Whether there are any alternatives to the Plan that would substantially lessen any of the significant impacts of the proposed Plan and achieve most of the basic objectives.

## 2.6 AREAS OF CONTROVERSY

The San Joaquin River Conservancy issued a Notice of Preparation and Initial Study for the EIR on June 17, 2013 and held a scoping meeting on July 9, 2013 to receive scoping comments. The scoping period ran from June 17, 2013 through July 17, 2013, during which time responsible agencies and interested members of the public were invited to submit comments as to the scope and content of the Draft EIR. The comments received focused primarily on the issues listed below. The NOP and Initial Study are included in Appendix A of the Draft EIR, and comments received during the scoping period are included in Appendix B of the Draft EIR.

- Location and alignment of the San Joaquin River Parkway multi-use trail.
- Public safety and law enforcement.
- Economics of implementing the proposed Plan, including in particular operations and maintenance costs.
- Habitat protection and restoration.
- Noise and light pollution.
- Parking and vehicular access to the Parkway.
- Public transit access.
- Safe access for boats, kayaks, and canoes.
- Impacts to properties adjacent to the Parkway.
- Traffic and circulation (bike and vehicle).

## 2.7 SIGNIFICANT IMPACTS AND MITIGATION MEASURES

Under CEQA, a significant impact on the environment is defined as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the Project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance.

The proposed Project has the potential to generate significant environmental impacts in a number of areas. Table 2-1 summarizes the conclusions of the environmental analysis contained in the Draft EIR and presents a summary of impacts and mitigation measures identified. It is organized to correspond with the



## EXECUTIVE SUMMARY

environmental issues discussed in Chapters 4.0 through 4.16 of the Draft EIR. The table is arranged in four columns: 1) environmental impacts, 2) significance before mitigation, 3) mitigation measures, and 4) significance after mitigation. The abbreviations used in Table 2-1 are as follows:

- **LTS: Less than Significant.** Indicates the impact was determined to be less than significant, and no mitigation measures are required under CEQA.
- **No Impact.** Indicates that an impact would be neither less-than-significant, nor significant.
- **N/A: Not Applicable.** Indicates that mitigation measures are not required under CEQA because the level of significance is less than significant or no impact.
- **S: Significant.** Indicates that the level of significance of an impact would be significant and, therefore, consideration of feasible mitigation measures is required under CEQA.
- **SU: Significant and Unavoidable.** Indicates that an impact was determined to be significant, and after inclusion of feasible mitigation measures, the impact would remain significant and therefore unavoidable. A finding of significant and unavoidable impacts requires the Conservancy Board to include a statement of overriding considerations in its findings when approving the project.

For a complete description of potential environmental impacts, please refer to the specific discussions in Chapters 4.0 through 4.16 of the Draft EIR.

## 2.8 TERMINOLOGY

Commonly referred to terminology throughout the Draft EIR is as follows:

- **San Joaquin River Conservancy (Conservancy):** The State of California agency created by the State Legislature to develop and manage the San Joaquin River Parkway.
- **San Joaquin River Parkway (Parkway):** Public lands that are acquired, developed, and managed to provide a harmonious combination of low-impact recreation, natural and cultural resources conservation, and educational uses. It is envisioned that the Parkway will eventually be linked from Friant Dam to Highway 99 by a 22-mile-long multiple use trail and contiguous wildlife habitat corridor.
- **San Joaquin River Parkway Interim Master Plan and EIR 1997 (existing, or 1997 Parkway Master Plan):** The San Joaquin River Parkway Interim Master Plan and Environmental Impact Report approved by the Conservancy in 1997. The Plan and EIR's goals, policies, and mitigation measures guide the development of the Parkway.
- **San Joaquin River Parkway Master Plan Update (the Proposed Project, or Proposed Plan):** This Final EIR presents the proposed updated Parkway Master Plan, the proposed Project reviewed in the EIR.
- **San Joaquin River Parkway Planning Area (Parkway Plan Area):** The area eligible for Parkway planning and development by the Conservancy, comprised of lands on both sides of the river from Friant Dam to Highway 99. Floodplain lands below the river's bluffs are the focus of Parkway planning; however,

## EXECUTIVE SUMMARY

adjoining lands for appurtenant facilities are also eligible for acquisition, improvement, and incorporation into the Parkway.

- **Low-Impact Recreation and Public Access:** The public access and recreational improvements to be considered, developed, operated and maintained as a part of the proposed Project, which are required by statute to be low-intensity, largely passive recreational uses compatible with conservation of the natural resources of the Parkway Plan Area (see San Joaquin River Conservancy Act, and Access and Habitat policies of the proposed Plan).

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<b>AESTHETICS</b>			
AES-1: The proposed Project would not substantially degrade the existing visual character or quality of the site and its surroundings.	LTS	N/A	N/A
AES-2: The proposed Project would not have a substantial adverse effect on a scenic vista.	LTS	N/A	N/A
AES-3: The proposed Project would not substantially degrade the view from a scenic highway, including, but not limited to, trees, rock outcroppings, and historic buildings.	No Impact	N/A	N/A
AES-4: The proposed Project would not expose people on- or off-site to substantial light or glare which would adversely affect day or nighttime views in the area.	LTS	N/A	N/A
AES-5: The proposed Project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to aesthetics.	LTS	N/A	N/A
<b>AGRICULTURE AND FORESTRY RESOURCES</b>			
AG-1: The proposed Project would convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.	S	AG-1: No mitigation measures are feasible to reduce the potential impact to less than significant levels. The intent of the Plan is to enhance recreational opportunities and create habitat conservation areas within the Parkway Plan Area. The farmland in the Parkway Plan Area may remain in agriculture, or may be offered for sale to the Conservancy, evaluated for acquisition, and may be acquired. Avoiding the acquisition of offered agricultural lands could interfere with achievement of Parkway goals and objectives.  <u>As part of the process for each individual site-specific development project under the Parkway Master Plan Update, an appropriate or applicable agricultural in-lieu mitigation fee for each acre of prime farmland to be developed shall be paid by the Conservancy at the time that agricultural land is to be developed or converted to non-agricultural uses, to an entity or agency holding or facilitating agricultural conservation easements within the region.</u>	SU

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
AG-2: The proposed Project would conflict with existing zoning for agricultural use, or a Williamson Act contract.	S	<p><u>Notwithstanding the above commitment</u>, in order to implement the Plan, conversion of farmland to non-agricultural uses would not be reduced to a less-than-significant level, and the Project's impacts in this regard would be <i>significant and unavoidable</i>.</p> <p>AG-2: No mitigation measures are feasible to reduce the potential impact. The intent of the Plan is to enhance recreational opportunities and create habitat conservation areas within the Parkway Plan Area. The farmland in the Parkway Plan Area may remain in agriculture, or may be offered for sale to the Conservancy, evaluated for acquisition, and may be acquired. Avoiding the acquisition of offered agricultural lands could interfere with achievement of Parkway goals and objectives. Implementation of the Plan would conflict with existing zoning for agricultural use or Williamson Act contract and cannot be reduced to a less-than-significant level, and the Project's impacts in this regard would be <i>significant and unavoidable</i>.</p>	SU
AG-3: The proposed Project would involve other changes in the existing environment which, due to their location or nature, would result in conversion of Farmland to non-agricultural use.	S	<p>AG-3: No mitigation measures are feasible to reduce the potential impact to less than significant levels. The intent of the Plan is to enhance recreational opportunities and create habitat conservation areas within the Parkway Plan Area. The farmland in the Parkway Plan Area may remain in agriculture, or may be offered for sale to the Conservancy, evaluated for acquisition, and may be acquired. Avoiding the acquisition of offered agricultural lands could interfere with achievement of Parkway goals and objectives. <u>Even with the incorporation of Mitigation Measure AG-1</u>, in order to implement the Plan, conversion of farmland to non-agricultural uses cannot be reduced to a less-than-significant level, and the Project's impacts in this regard would be <i>significant and unavoidable</i>.</p>	SU
AG-4: Implementation of the Project, in combination with past, present, and reasonably foreseeable projects, would result in significant cumulative impacts with respect to agricultural resources.	S	<p>AG-4: The intent of the Plan is to enhance recreational opportunities and create habitat conservation areas within the Parkway Plan Area. In order to implement the Plan, impacts to agricultural resources, in combination with the potential conversion of agricultural land resulting from others' unrelated actions, cannot be reduced to a less than significant level, and the Project's cumulative impact in this regard would be <i>significant and unavoidable</i>.</p>	SU

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

AIR QUALITY	Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
AQ-1: Subsequent environmental review of future projects within the San Joaquin River Parkway may identify that individual projects could exceed the applicable SJVAPCD thresholds and therefore is inconsistent with SJVAPCD's air quality management plans.		S	AQ-1: Mitigation measures identified for Impact AQ-3 would lessen impacts associated with inconsistency with SJVAPCD's air quality management plans.	SU
AQ-2: Subsequent environmental review of future projects within the San Joaquin River Parkway may identify that individual projects could exceed the applicable SJVAPCD thresholds and therefore the Project could violate air quality standards or contribute substantially to an existing or projected air quality violation.		S	AQ-2: Mitigation measures identified for Impact AQ-3 would lessen impacts associated with inconsistency with SJVAPCD's air quality management plans.	SU
AQ-3: Subsequent environmental review of future projects under the proposed Project may identify that construction and operational phase emissions would exceed SJVAPCD's project-level regional significance thresholds and the Project would cumulatively contribute to the nonattainment designations in the SJVAB.		S	<p>AQ-3a: Prior to initiation of construction activities, construction contractors shall prepare and submit to the Conservancy a technical assessment evaluating potential project construction-related air quality impacts. The evaluation shall be prepared in conformance with San Joaquin Valley Air Pollution Control District (SJVAPCD) methodology in assessing air quality impacts. The following identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) and submitted to the Conservancy. Mitigation measures to reduce construction-related emissions include, but are not limited to:</p> <ul style="list-style-type: none"> <li>Using construction equipment rated by the United States Environmental Protection Agency as having Tier 3 (model year 2006 or newer) or Tier 4 (model year 2008 or newer) emission limits, applicable for engines between 50 and 750 horsepower. A list of construction equipment by type and model year shall be maintained by the construction contractor on-site, which shall be available for Conservancy review upon request.</li> <li>Ensuring construction equipment is properly serviced and maintained to the manufacturer's standards.</li> <li>Use of alternative-fueled or catalyst-equipped diesel construction equipment, if available and feasible.</li> <li>Clearly posted signs that require operators of trucks and construction</li> </ul>	SU

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
		<ul style="list-style-type: none"> <li>equipment to minimize idling time (e.g., 5-minute maximum).</li> <li>Preparation and implementation of a fugitive dust control plan that may include the following measures:                             <ul style="list-style-type: none"> <li>Disturbed areas (including storage piles) that are not being actively utilized for construction purposes shall be effectively stabilized using water, chemical stabilizer/suppressant, or covered with a tarp or other suitable cover (e.g., revegetated).</li> <li>On-site unpaved roads and off-site unpaved access roads shall be effectively stabilized using water or chemical stabilizer/suppressant.</li> <li>Land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled utilizing application of water or by presoaking.</li> <li>Material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained when materials are transported off-site.</li> <li>Operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.)</li> <li>Following the addition of materials to or the removal of materials from the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.</li> <li>Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday.</li> <li>Any site with 150 or more vehicle trips per day shall prevent carryout and trackout.</li> <li>Limit traffic speeds on unpaved roads to 15 mph.</li> <li>Install sandbags or other erosion control measures to prevent silt</li> </ul> </li> </ul>	

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
		<p>runoff to public roadways from sites with a slope greater than 1 percent.</p> <ul style="list-style-type: none"> <li>Install wheel washers for all exiting trucks or wash off all trucks and equipment leaving the project area.</li> <li>Adhere to Regulation VIII's 20 percent opacity limitation, as applicable.</li> </ul> <p>AQ-3b: Prior to initiation of construction activities, construction contractors shall prepare and submit to the Conservancy a technical assessment evaluating potential project operation phase-related air quality impacts. The evaluation shall be prepared in conformance with San Joaquin Valley Air Pollution Control District (SJVAPCD) methodology in assessing air quality impacts. If operational-related criteria air pollutants are determined to have the potential to exceed the SJVAPCD adopted thresholds of significance, as identified in the Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI), the Conservancy shall require the construction contractor to incorporate mitigation measures to reduce air pollutant emissions during operational activities. The identified measures shall be included as part of the Standard Conditions of Approval. Mitigation measures to reduce long-term emissions can include, but are not limited to:</p> <ul style="list-style-type: none"> <li>Site-specific development shall demonstrate an adequate number of electrical vehicle Level 2 charging stations are provided on-site. The location of the electrical outlets shall be specified on building plans, included in subsequent environmental review, and proper installation shall be verified by the Conservancy prior to operation.</li> <li>Appliances shall be Energy Star appliances (dishwashers, refrigerators, clothes washers, and dryers). Installation of Energy Star appliances shall be verified by the Conservancy prior to operation.</li> </ul> <p>AQ-3c: The use of outdoor fire pits shall be prohibited.</p> <p>AQ-4: Mitigation Measures identified for Impact AQ-3 would lessen impacts associated with Project-related emissions contributing to SJVAB ambient air quality standards.</p>	
AQ-4: Emissions generated by the project could exceed the California or National AAQS.	S		SU



## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
AQ-5: Create objectionable odors affecting a substantial number of people.	LTS	N/A	N/A
AQ-6: Subsequent environmental review of future projects associated with the proposed Project may identify that construction phase emissions would exceed SJVAPCD's project-level localized significance thresholds for ambient air quality standards.	S	AQ-6: Implement Mitigation Measure AQ-3.	SU
<b>BIOLOGICAL RESOURCES</b>			
BIO-1A: Future development under the proposed Project could result in the loss of individual special-status plants.	S	<p>BIO-1A: Preserve populations of CRPR species: <i>Avoid and Minimize Impacts</i>. For each future project to implement the proposed Plan, when the project is defined to a level that impacts can be evaluated, prior to taking action the Conservancy will assess the site to determine, avoid, and minimize potential adverse impacts to special status plants in accordance with BMP BIO-4. On a case-by-case basis, minimization measures may include transplanting perennial species, seed collection and dispersal for annual species, and other conservation strategies that will protect the viability of the local population. Monitoring plant populations will be conducted annually for five years; the performance standard will be no net reduction in the size or viability of the local population.</p> <p><i>Compensate for Potentially Significant Impacts</i>. Where special-status plants are present and adverse impacts cannot be avoided or minimized:</p> <ul style="list-style-type: none"> <li>To compensate for potentially significant adverse impacts, habitat occupied by the affected species outside the impact area will be preserved and managed in perpetuity at a minimum 1:1 mitigation ratio (at least one plant preserved for each plant affected, and also at least one occupied acre preserved for each occupied acre affected), up to the significance threshold (e.g., for a CRPR 1B species where 15 percent of the known population within 5 miles of the future impact area will be affected, mitigation must be provided at a 1:1 equivalent of 15 percent of that regional population), or in accordance with current guidance issued by or as required by regulatory agencies.</li> <li>Conservancy will develop a Habitat Mitigation and Monitoring Plan</li> </ul>	LTS

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
		<p>(HMMP) describing the measures that will be taken to enhance and manage the mitigation lands and to monitor the effects of management on the focal special-status plant species. That plan will include, at a minimum, the following:</p> <ul style="list-style-type: none"> <li>▪ A summary of impacts on special-status plant populations, and the proposed mitigation;</li> <li>▪ A description of the location and boundaries of the mitigation site and description of existing site conditions;</li> <li>▪ A description of measures to be undertaken if necessary to enhance (e.g., through focused management) the mitigation site for special-status species;</li> <li>▪ A description of measures to transplant individual plants or seeds from the impact area to the mitigation site, if determined by a qualified botanist to be appropriate and to have a high likelihood of success;</li> <li>▪ Proposed management activities to maintain high-quality habitat conditions for the focal species;</li> <li>▪ A description of species monitoring measures on the mitigation site, including specific, objective goals, objectives, policies, design guidelines, and BMPs (including enhancement of populations of focal special-status species on the mitigation site), performance indicators and success criteria (including increasing the abundance of the focal species by at least as many individuals as were impacted), monitoring methods (including sampling for the focal species), data analysis, reporting requirements, and monitoring schedule. Determining specific performance/success criteria requires information regarding the specific mitigation site, its conditions, the biological resources present on the site, the specific plant species for which mitigation is being provided, and the specific enhancement and management measures tailored to the mitigation site and its conditions. As a result, those specific criteria will be defined in the HMMP rather than in this EIR. Nevertheless, the performance/success criteria described in the HMMP will guide the mitigation to manage and protect high-</li> </ul>	

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
BIO-1B: Complete avoidance of elderberry shrubs may not be feasible and the proposed Project could result in the loss of individual valley elderberry longhorn beetle and/or habitat.	S	<p>quality habitat for, and populations of, the impacted species. The HMMP will include monitoring for non-native plant species and remediation measures in the event that such species are detected on the site;</p> <ul style="list-style-type: none"> <li>▪ A description of the management plan's adaptive component, including potential contingency measures for mitigation elements that do not meet performance criteria; and</li> <li>▪ A description of the funding mechanism for the long-term maintenance and monitoring of the mitigation lands.</li> </ul> <p>BIO-1B: Protect critical valley elderberry longhorn beetle habitat. <i>Avoid and Minimize Impacts.</i> For each future project to implement the proposed Plan, when the project is defined to a level that impacts can be evaluated, prior to taking action the Conservancy will assess the site to determine, avoid, and minimize potential adverse impacts to valley elderberry longhorn beetle in accordance with BMP BIO-4.</p> <ul style="list-style-type: none"> <li>▪ All elderberry shrubs with one or more stems measuring 1.0 inch or greater in diameter at ground level that occur on or adjacent to any proposed project site in the Parkway Plan Area will be tallied by diameter size class and thoroughly searched for beetle exit holes. The absence of exit holes will require compensatory mitigation, consistent with the <i>Conservation Guidelines for Valley Elderberry Longhorn Beetle</i> (see Table 4.4-6).</li> <li>▪ Complete avoidance (i.e., no adverse impact) may be assumed when a 100-foot (or wider) buffer is established and maintained around elderberry plants containing stems measuring 1.0 inch or greater in diameter at ground level. Measures to protect buffer areas will be instituted prior to construction and will include fencing, signs, and worker education programs</li> <li>▪ Any damage done to buffer areas during construction will be restored to pre-project conditions (e.g., revegetation of buffer area with appropriate native plants). The project sponsor will retain a qualified biologist to prepare a written description of how the buffer areas are to be restored, protected, and maintained after construction is completed.</li> </ul>	LTS

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
		<p>Typical measures include fencing, signs, weeding, and trash removal.</p> <p><i>Compensate for Potentially Significant Impacts.</i> Where elderberry shrubs are present and potentially significant adverse impacts to valley elderberry longhorn beetle cannot be avoided, the Conservancy will implement standard USFWS mitigation protocol (or current standard protocol):</p> <ul style="list-style-type: none"> <li>Elderberry plants that cannot be avoided by project construction activities (i.e., disturbance will occur within 20 feet of the shrub) will be transplanted to a USFWS-approved conservation area prior to construction under the supervision of a qualified biologist. Each elderberry stem measuring 1.0 inch or greater in diameter at ground level that is adversely affected (i.e., transplanted or destroyed) will also be replaced, in the conservation area, with elderberry seedlings or cuttings. The Conservancy will consult with USFWS to determine appropriate compensation ratios. Compensatory mitigation will be consistent with the <i>Conservation Guidelines for Valley Elderberry Longhorn Beetle</i> (see Table 4.4-6), or in accordance with current guidance. The conservation area will be protected in perpetuity as habitat for the valley elderberry longhorn beetle, and the Conservancy will provide a written monitoring plan to the USFWS. At a minimum the monitoring plan will include the following information: <ul style="list-style-type: none"> <li>Species monitoring measures on the conservation site, including specific goals, objectives, policies, design guidelines, and BMPs and objectives, performance indicators, success criteria, monitoring methods, data analysis, and a monitoring schedule. At a minimum, success criteria will meet current guidance and requirements, such as the following: <ul style="list-style-type: none"> <li>A minimum survival rate of at least 60 percent of the elderberry plants and 60 percent of the associated native plants must be maintained throughout the monitoring period;</li> <li>The monitoring plan's adaptive component, including potential contingency measures for mitigation elements that do not meet performance criteria; and</li> </ul> </li> </ul> </li> </ul>	

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
BIO-1C: Implementation of the proposed Project could result in the loss of suitable habitat for the California tiger salamander.	S	<ul style="list-style-type: none"> <li>- The funding mechanism in place to ensure long-term maintenance and monitoring of the conservation lands.</li> </ul> <p>BIO-1C: Protect California tiger salamander. <i>Avoid and Minimize Impacts.</i> All projects to install or construct trails, kiosks, restrooms, restore habitat, and other improvements contemplated in the proposed Project will be subject to project- and site-specific environmental review pursuant to CEQA. For each future project to implement the proposed Plan, when the project is defined to a level that impacts can be evaluated, prior to taking action the Conservancy will assess the site to determine, avoid, and minimize potentially significant impacts to California tiger salamanders in accordance with BMP BIO-5.</p> <p>Where California tiger salamanders are found on-site through protocol surveys (or assumed in the absence of surveys), avoidance and minimization measures will also include:</p> <ul style="list-style-type: none"> <li>▪ When feasible, a 50-foot no-disturbance buffer will be established around burrows that provide suitable upland habitat for California tiger salamander. Burrows considered suitable for California tiger salamander will be determined by a qualified biologist, approved by USFWS.</li> <li>▪ All suitable burrows directly impacted by construction will be hand excavated under the supervision of a qualified wildlife biologist. If California tiger salamander are found, the biologist will relocate the organism to the nearest burrow that is outside of the construction impact area.</li> <li>▪ All ground-disturbing work will occur during daylight hours in coordination with USFWS, and depending on the level of rainfall and site conditions. The National Weather Service (NWS) 72-hour forecast for the work area will be monitored. If a 70 percent or greater chance of rainfall is predicted within 72 hours of project activity, all activities in areas within 1.3 miles of potential or known California tiger salamander breeding sites will cease until no further rain is forecast. If work must continue when rain is forecast, a qualified biologist will survey the project site before construction begins each day rain is forecast. If rain</li> </ul>	LTS

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
		<p>exceeds 0.25-inch during a 24-hour period, work will cease until no further rain is forecast. This restriction is not applicable for areas located greater than 1.3 miles from potential or known California tiger salamander breeding sites once they have been encircled with California tiger salamander exclusion fencing. However, even after exclusion fencing is installed, this condition would still apply to construction related traffic moving through areas within 1.3 miles of potential or known California tiger salamander breeding sites but outside of the salamander exclusion fencing (e.g., on roads).</p> <ul style="list-style-type: none"> <li>For work conducted during the California tiger salamander migration season (November 1 to May 31), exclusionary fencing will be erected around the construction site during ground-disturbing activities after hand excavation of burrows has been completed. A qualified biologist will visit the site weekly to ensure that the fencing is in good working condition. Fencing material and design will be subject to the approval of the USFWS. If exclusionary fencing is not used, a qualified biological monitor will be on-site during all ground disturbance activities. Exclusion fencing will also be placed around all spoils and stockpiles.</li> <li>For work conducted during the California tiger salamander migration season (November 1 to May 31), a qualified biologist will survey the active work areas (including access roads) in mornings following measurable precipitation events. Construction may commence once the biologist has confirmed that no California tiger salamander are in the work area.</li> <li>Prior to beginning work each day, underneath equipment and stored pipes greater than 1.2 inches (3 centimeters) in diameter will be inspected for California tiger salamander. If any are found they will be allowed to move out of the construction area under their own accord.</li> <li>Trenches and holes will be covered and inspected daily for stranded animals. Trenches and holes deeper than 1 foot will contain escape ramps (maximum slope of 2:1) to allow trapped animals to escape uncovered holes or trenches. Holes and trenches will be inspected prior to filling.</li> </ul>	

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
		<ul style="list-style-type: none"> <li>All food and food-related trash will be enclosed in sealed trash containers at the end of each workday and removed completely from the construction site once every three days to avoid attracting wildlife.</li> <li>A speed limit of 15 miles per hour will be maintained on dirt roads.</li> </ul> <p><i>Compensate for Potentially Significant Impacts.</i> Where California tiger salamanders are present and potentially significant adverse impacts cannot be avoided and minimized through the above measures, the Conservancy will implement standard USFWS compensatory mitigation (or current standards). Compensation for unavoidable impacts will be provided via the protection, enhancement, and management of habitat that currently supports, or can support, this species at a 3:1 (mitigation: impact) ratio, on an acreage basis, or in accordance with current guidance issued by or as required by regulatory agencies. Compensatory mitigation may be carried out through one or more of the following methods, in order of preference:</p> <ul style="list-style-type: none"> <li>The preservation, management, and enhancement (e.g., through long-term management targeted toward this species) of high-quality habitat that is already occupied by California tiger salamanders.</li> <li>Purchase of mitigation credits at approved mitigation banks whose service area includes the Parkway Plan Area.</li> <li>The restoration or enhancement of degraded habitat or habitat that is unsuitable for use by California tiger salamanders, but that (a) is in close proximity to areas of known occurrence and (b) can be made more suitable for use via construction of one or more breeding ponds or management to improve the quality and availability of burrows in upland habitat.</li> </ul> <p>Because most, if not all, impacts on California tiger salamander habitat resulting from implementing the proposed Project would consist of modification of upland refugial/dispersal habitat (rather than aquatic breeding habitat), mitigation lands will also consist of upland habitat for this species, as appropriate. All mitigation lands for this species will be located within Fresno or Madera counties.</p>	

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
		<p>For any compensatory mitigation described above, the Conservancy will develop an HMMP describing the measures that will be taken to manage the mitigation property and to monitor the effects of management on the California tiger salamander. That plan will include, at a minimum, the following:</p> <ul style="list-style-type: none"> <li>▪ A summary of impacts on California tiger salamander habitat and populations, and the proposed mitigation;</li> <li>▪ A description of the location and boundaries of the mitigation site and description of existing site conditions;</li> <li>▪ A description of measures to be undertaken if necessary to enhance (e.g., through focused management) the mitigation site for California tiger salamanders;</li> <li>▪ Proposed management activities, such as managed grazing, management of invasive plants, measures targeted at sustaining populations of burrowing mammals, or other measures to maintain high-quality habitat for California tiger salamanders;</li> <li>▪ A description of species monitoring measures on the mitigation site, including specific, objective goals, objectives, policies, design guidelines, and BMPs (such as maintaining or increasing abundance of California tiger salamanders or maintaining or improving habitat suitability), performance indicators and success criteria (such as presence or abundance of upland refugia or hydroperiod of breeding habitat), monitoring methods (such as sampling of upland refugia or monitoring of the hydroperiod of breeding habitat), data analysis, reporting requirements, and monitoring schedule. Determining specific performance/success criteria requires information regarding the specific mitigation site, its conditions, and the specific enhancement and management measures tailored to the mitigation site and its conditions. For example, performance criteria for a mitigation site providing only upland habitat for California tiger salamanders would include the maintenance of grassland habitat of a suitable height and density for burrowing mammals, and maintenance of suitable burrowing mammal</li> </ul>	



## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
BIO-1D: Indirect impacts on habitat may result due to a loss of riparian vegetation that support the Kern Brook lamprey and San Joaquin roach.	S	<p>populations, whereas a mitigation site providing salamander breeding habitat would also include criteria related to adequate depth and hydroperiod of breeding habitat. As a result, those specific criteria will be defined in the HMMP rather than in this EIR. Nevertheless, the performance/success criteria described in the HMMP will guide the mitigation to manage and protect high-quality habitat for the California tiger salamander, adequate to compensate for impacts.</p> <ul style="list-style-type: none"> <li>▪ A description of the management plan's adaptive component, including potential contingency measures for mitigation elements that do not meet performance criteria; and</li> <li>▪ A description of the funding mechanism for the long-term maintenance and monitoring of the mitigation lands.</li> </ul> <p>if Conservancy lands can be enhanced (e.g., via the construction of breeding ponds) in such a way as to substantially improve their value to California tiger salamanders, then the Conservancy may use those lands as mitigation for the California tiger salamander.</p> <p>The proposed project-specific mitigation and HMMP will be provided to the USFWS and CDFW for review because this species is both state and federally listed. It is possible that this mitigation measure may be refined in coordination with USFWS during the Section 7 consultation process (e.g., in the Biological Opinion covering project effects on the California tiger salamander) or the Section 2081 consultation process with the CDFW (e.g., in an Incidental Take Permit), in which case the refinements required by these agencies would be implemented.</p>	LTS
BIO-1E: Implementation of the proposed Project could result in the loss of suitable habitat for the western pond turtle.	S	<p>BIO-1E: Protect western pond turtle.</p> <p><i>Avoid and Minimize Impacts.</i> For each future project to implement the proposed Plan, when the project is defined to a level that impacts can be evaluated, prior to taking action the Conservancy will assess the site to determine, avoid, and minimize potentially significant impacts to western</p>	LTS

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
		<p>pond turtles in accordance with BMP BIO-5. Where suitable habitat exists (e.g., along riparian areas and freshwater emergent wetlands) for western pond turtles on-site, avoidance and minimization measures will also include:</p> <ul style="list-style-type: none"> <li>■ Pre-construction surveys for western pond turtle will be conducted by a qualified biologist 14 days before and 24 hours before the start of ground-disturbing activities.</li> <li>■ If western pond turtles or their nests are observed during pre-construction surveys, a qualified biologist shall be on-site to monitor construction in suitable turtle habitat. Western pond turtle found within the construction area will be allowed to leave of its own volition or it will be captured by a qualified biologist and relocated out of harm's way to the nearest suitable habitat immediately upstream or downstream from the project site.</li> <li>■ If western pond turtle nests are identified in the work area during pre-construction surveys, a 300-foot no-disturbance buffer shall be established between the nest and any areas of potential disturbance. Buffers shall be clearly marked with temporary fencing. Construction will not be allowed to commence in the exclusion area until hatchlings have emerged from the nest, or the nest is deemed inactive by a qualified biologist.</li> </ul> <p><i>Compensate for Potentially Significant Impacts.</i> If occupied breeding (aquatic) habitat for western pond turtles is detected and would be permanently affected, compensatory mitigation will be provided at a 1:1 ratio (preserved habitat: affected aquatic habitat), or in accordance with current guidance issued by or as required by regulatory agencies. If a qualified biologist determines that the compensatory mitigation acreage provides suitable mitigation for other species, such as the California tiger salamander, western spadefoot, or other species, the acreage may be used to provide mitigation for multiple species.</p> <ul style="list-style-type: none"> <li>■ An HMMP will be developed describing the measures that will be taken to manage the property and to monitor the effects of management on</li> </ul>	

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
BIO-1F: Future development could result in the loss of western spadefoot aquatic habitat.	S	<p>western pond turtles. That plan will include, at a minimum, the information described in Mitigation Measure BIO-1C.</p> <p>BIO-1F: Protect western spadefoot toad.</p> <p><i>Avoid and Minimize Impacts.</i> For each future project to implement the proposed Plan, when the project is defined to a level that impacts can be evaluated, prior to taking action the Conservancy will assess the site to determine, avoid, and minimize potentially significant impacts to western spadefoot in accordance with BMP BIO-5. Where suitable habitat exists for western spadefoot on-site, avoidance and minimization measures will also include:</p> <ul style="list-style-type: none"> <li>For work conducted during the western spadefoot toad migration and breeding season (November 1 to May 31), a qualified biologist will survey the active work areas (including access roads) in mornings following measurable precipitation events. Construction may commence once the biologist has confirmed that no spadefoot toads are in the work area.</li> <li>When feasible, there will be a 50-foot no-disturbance buffer around burrows that provide suitable upland habitat for western spadefoot toad. Burrows considered suitable for spadefoot will be identified by a qualified CDFW biologist. The biologist will delineate and mark the no-disturbance buffer.</li> <li>If western spadefoot toad is found within the construction footprint, it will be allowed to move out of harm's way of its own volition or a qualified biologist will relocate the organism to the nearest burrow that is outside of the construction impact area.</li> <li>Prior to beginning work each day, a qualified biologist will inspect underneath equipment and stored pipes greater than 1.2 inches (3 centimeters) in diameter for western spadefoot toad. If any are found they will be allowed to move out of the construction area under their own accord.</li> <li>Trenches and holes will be covered and inspected daily for stranded animals. Trenches and holes deeper than 1 foot deep will contain escape ramps (maximum slope of 2:1) to allow trapped animals to</li> </ul>	LTS

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
		<p>escape uncovered holes or trenches. Holes and trenches will be inspected prior to filling.</p> <p><i>Compensate for Potentially Significant Impacts.</i> If occupied breeding (aquatic) habitat for the western spadefoot is detected and would be permanently affected, compensatory mitigation will be implemented as follows:</p> <ul style="list-style-type: none"> <li>■ Permanently affected occupied breeding habitat will be replaced at a 2:1 ratio (mitigation area: affected area), or in accordance with current guidance issued by or as required by regulatory agencies. To the extent that there is an overlap in habitat value and occupied habitat, preservation lands may be the same as those provided for other species, such as the California tiger salamander.</li> <li>■ Any occupied breeding pond that would be permanently affected and cannot be preserved for western spadefoots will not be disturbed or affected until compensatory breeding habitat has been created. Once the compensatory habitat is created, all western spadefoot adults, tadpoles, and egg masses detected in the impact area during surveys, will be moved to the created pool habitat. If construction impacts on occupied breeding ponds would occur during the dry season, the replacement habitat will be in place prior to the beginning of the next wet season. Surveys near the affected pond will take place during the wet season, and all western spadefoot toads detected will be moved to the replacement habitat.</li> <li>■ The Conservancy will develop an HMMP describing the measures that will be taken to manage the property and to monitor the effects of management on western spadefoot. That plan will include, at a minimum, the information described in Mitigation Measure BIO-1D.</li> </ul>	
BIO-1G: Future development could result in the loss of occupied breeding habitat and may result in a substantial impact on regional burrowing owl populations.	S	BIO-1G: Protect burrowing owls. <i>Avoid and Minimize Impacts.</i> For each future project to implement the proposed Plan, when the project is defined to a level that impacts can be evaluated, prior to taking action the Conservancy will assess the site to determine, avoid, and minimize potentially significant adverse impacts to burrowing owls in accordance with BMP BIO-7. During the non-breeding	LTS

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
		<p>season, and after owls have been relocated or evicted in accordance with BMP BIO-7, the work area will be monitored daily for one week prior initial ground-disturbing activities to confirm owls have not remained in or returned to burrows. Where possible, burrows will be excavated using hand tools and refilled to prevent reoccupation (flexible pipe will be inserted during excavation to maintain an escape route).</p> <p>If the habitat surrounding the burrow from which the owl is evicted remains suitable for use by burrowing owls following completion of the project activity (based on an assessment by a qualified biologist), the Conservancy will have the option of either providing habitat mitigation off-site, as described below, or monitoring the work site to determine whether it is re-occupied by burrowing owls. If the Conservancy documents nesting by burrowing owls within two years of completion of project activity in the vicinity of the impact site indicating that the activity did not have a long-term impact on the owls' use of the site, no further mitigation would be required.</p> <p><i>Compensate for Potentially Significant Impacts.</i> For each future project to implement the proposed Plan, where burrowing owls are present and potentially significant adverse impacts cannot be avoided compensatory habitat mitigation will be provided as follows:</p> <ul style="list-style-type: none"> <li>▪ If an occupied burrow cannot be avoided during the non-breeding season, burrows will be enhanced or created in adjacent habitat at a 1:1 ratio of burrow destroyed to be created at least one week prior to implementation of passive relocation techniques. If burrowing owl habitat enhancement or creation takes place, a monitoring and management plan will be developed and implemented to assess the effectiveness of the mitigation. If monitoring indicates that the actions have not adequately mitigated for the Project's impacts, remedial actions (e.g., enhancing or creating additional burrows) will be implemented that compensate for these impacts.</li> <li>▪ If the project activity will degrade habitat quality to the extent that maintaining owl use of the site is not feasible or ecologically preferable,</li> </ul>	

**EXECUTIVE SUMMARY**

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
		<p>in the opinion of a qualified biologist, then off-site mitigation will be provided to compensate for the loss of occupied burrowing owl nesting habitat. Mitigation acreage will be provided in accordance with the California burrowing owl mitigation guidelines (9.75 to 19.5 acres of habitat be preserved and managed per occupied burrowing owl nest burrow, whether by a pair or singly), or in accordance with current guidance or requirements of the regulatory agencies. The amount of mitigation habitat provided will depend on whether the mitigation habitat is occupied by burrowing owls (9.75 acres), adjacent to occupied habitat (13.0 acres), or suitable but unoccupied (19.5 acres). The mitigation site will be located in Fresno or Madera counties so that the mitigation supports the maintenance of regional burrowing owl populations.</p> <ul style="list-style-type: none"><li>▪ This mitigation may be provided via the management of suitable habitat on Conservancy lands (either existing lands or lands that are acquired), purchase of credits in a mitigation bank (if one is available), or contribution of funds toward the management of the required amount of suitable habitat owned by another entity. If the Conservancy provides habitat mitigation on existing Conservancy lands or on lands that are acquired for mitigation purposes, an HMMIP will be prepared detailing the areas to be preserved for owls; the methods for managing on-site habitat for owls and their prey (such as vegetation management to maintain low-statured herbaceous vegetation); methods for enhancing burrow availability within the mitigation site (potentially including the provision of artificial burrows, although long-term management for ground squirrels will be important as well); measures to minimize adverse effects of development on owls on-site; and a monitoring program and adaptive management program. Determining specific performance/success criteria requires information regarding the specific mitigation site, its conditions, and the specific enhancement and management measures tailored to the mitigation site and its conditions. For example, performance criteria for a site where burrowing owls are known to occur (which may include maintenance of a certain number of</li></ul>	

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
BIO-1H: Future development of the proposed Plan could result in the disturbance of habitat for special-status species, including the Townsend's western big-eared bat and pallid bat, by permanently impacting roosting sites or causing long-term roost abandonment.	S	<p>pairs of owls) may differ from those for an unoccupied site adjacent to occupied burrowing owl habitat (which may include attracting owls to breed on the mitigation site). As a result, those specific criteria will be defined in the HMMP rather than in this EIR. Nevertheless, the performance/success criteria described in the HMMP will guide the mitigation to manage and protect high-quality habitat for burrowing owls, adequate to compensate for impacts.</p> <ul style="list-style-type: none"> <li>▪ The HMMP will be submitted to the CDFW for review.</li> <li>▪ If a mitigation bank providing credits for burrowing owls is established within the aforementioned mitigation area (i.e., in Fresno or Madera County), then mitigation may take the form of the purchase of credits equivalent to the number of acres of mitigation required.</li> </ul> <p>BIO-1H: Protect special-status bats.</p> <p><i>Avoid and Minimize Impacts.</i> For each future project to implement the proposed Plan, when the project is defined to a level that impacts can be evaluated, prior to taking action the Conservancy will assess the site to determine, avoid, and minimize potentially significant adverse impacts to Townsend's western big-eared bats and pallid bats in accordance with BMP BIO-8.</p> <p><i>Compensate for Potentially Significant Impacts.</i> For each future project to implement the proposed Plan, where special status bats are present and potentially significant adverse impacts cannot be avoided, compensatory habitat mitigation will be provided as follows:</p> <ul style="list-style-type: none"> <li>▪ If roosts must be removed, the bats will be excluded from the roosting site before it is removed.</li> <li>▪ If a tree or structure containing a Townsend's western big-eared bat or pallid bat maternity roost is to be removed, a qualified biologist will design, and determine an appropriate location for, an alternative roost structure. If a tree containing a maternity roost of either species is not removed, but project-related disturbance causes the abandonment of the roost site (even during the non-breeding season), then the Conservancy may either monitor the roost site to determine whether</li> </ul>	LTS

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
BIO-2A: Implementation of the proposed Project could result in short-term degradation of riparian habitat and temporary and permanent loss of riparian vegetation.	S	<p>the affected species returns to the roost, or construct an alternative roost. If the Conservancy elects to monitor the roost and bats do not return within 1 year, then an alternative roost will be constructed.</p> <ul style="list-style-type: none"> <li>A qualified biologist will determine the appropriate location for the alternative roost structure, based on the location of the original roost and habitat conditions in the vicinity. The roost structure will be built to specifications as determined by a qualified biologist, or it may be purchased from an appropriate vendor. The structure will be placed as close to the impacted roost site as feasible. The Conservancy will monitor the roost for up to three years (or until occupancy is determined, whichever occurs first) to determine use by bats. If by Year 3, the bat species for which the structure was designed are not using the structure, a qualified bat biologist, in consultation with the CDFW, will identify alternative roost designs or locations for placement of the roost, and monitoring of the new roost will occur for an additional three years (or until occupancy has been verified). </li></ul>	LTS
		<p>BIO-2A: Protect riparian habitat.</p> <p><i>Avoid and Minimize Impacts.</i> For each future project to implement the proposed Plan, when the project is defined to a level that impacts can be evaluated, prior to taking action the Conservancy will assess the site to determine, avoid, and minimize potentially significant adverse impacts to riparian habitat, including implementation of the proposed Plan's setback and buffer policies and BMP BIO-4. Each future project shall be preceded by a pre-construction survey during which a qualified botanist will identify sensitive natural vegetation communities, including riparian areas, within the project footprint and clearly map them as needed to avoid and/or minimize disturbance.</p> <p><i>Compensate for Potentially Significant Impacts.</i> For each future project to implement the proposed Plan, where sensitive habitats are present and potentially significant adverse impacts cannot be avoided and would not be offset by habitat enhancement and creation benefits of the project, compensatory habitat mitigation will be provided in accordance with proposed Plan policies and BMP BIO-13, and as follows:</p>	



## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
		<ul style="list-style-type: none"> <li>Secure, implement, and comply with measures to protect habitat in a streambed alteration agreement with CDFW in accordance with California Fish and Game Code Section 1600.</li> <li>Develop a project-specific habitat restoration and revegetation plan for review and approval of CDFW. Replace on-site any native trees and shrubs, and any non-native plant species greater than four inches diameter breast height, removed to construct the project, on no less than a 3:1 ratio (replaced:removed), or in accordance with guidance or as required by regulatory agencies. Achieve successful establishment of 70 percent of the new plants within five years, or in accordance with guidance or as required by regulatory agencies.</li> <li>Follow invasive species removal protocols approved by CDFW. After invasive species removal, revegetate disturbed soils with appropriate fast-colonizing understory grasses and forbs within one growing season as described in BMP-13.</li> <li>For all projects other than invasive species removal projects that do not include a habitat restoration component, if permanent impacts on more than one acre of contiguous riparian habitat are unavoidable, habitat will be restored or created to compensate for permanent impacts in a manner that achieves no net loss in acreage or function. Mitigation for riparian habitat dominated by native species and supporting tree canopy will be provided at a ratio of 3:1 (3 acres of mitigation for every 1 acre of disturbed) via creation or restoration of riparian habitat, or in accordance with guidance or as required by the regulatory agencies.</li> <li>Mitigation will be achieved through one or more options, potentially including (but not limited to):                         <ul style="list-style-type: none"> <li>Restoration or creation within the project site.</li> <li>Restoration or creation of riparian habitat within the Parkway Plan Area.</li> <li>Restoration/creation in close proximity to but outside of the Parkway Plan Area.</li> </ul> </li> </ul>	

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
BIO-2B: Implementation of the proposed Plan could result in impacts on Essential Fish Habitat.	S	<ul style="list-style-type: none"> <li>Purchase of mitigation credits at approved mitigation banks whose service area includes the project site.</li> </ul> <p>BIO-2B: <i>Protect Essential Fish Habitat</i>. Each project to install or construct trails, kiosks, restrooms, and other improvements contemplated in the proposed Project shall be preceded by a pre-construction survey during which a qualified botanist will identify sensitive natural vegetation communities, including wetlands and other waters, within the project footprint and clearly map or delineate them as needed to avoid and/or minimize disturbance. For each future project to implement the proposed Plan, where EFH is present and potentially significant adverse permanent impacts cannot be avoided and would not be offset by habitat enhancement and creation benefits of the project, Mitigation Measure BIO-3 (see below) will be implemented to reduce impacts on EFH to a less-than-significant level.</p>	LTS
BIO-3: Implementation of the proposed Plan could result in the temporal loss of ecologically valuable habitat, and the permanent loss of both vegetated wetlands and unvegetated aquatic habitats, including jurisdictional wetlands and other waters, is considered significant.	S	<p>BIO-3: <i>Protect wetlands and other waters. Avoid and Minimize Impacts</i>. For each future project to implement the proposed Plan, when the project is defined to a level that impacts can be evaluated, prior to taking action the Conservancy will assess the site in accordance with BMP BIO-2, to determine, avoid, and minimize potentially significant adverse impacts to wetland habitat and waters, including implementation of the proposed Plan's setback and buffer policies and BMP BIO-4.</p> <p><i>Compensate for Potentially Significant Impacts</i>. For each future project to implement the proposed Plan, where sensitive habitats are present and potentially significant adverse impacts cannot be avoided and would not be offset by habitat enhancement and creation benefits of the project, compensatory habitat mitigation will be provided in accordance with proposed Plan policies and BMP BIO-13. Permanent impacts on, wetlands and other waters will be compensated by ensuring there is no net loss of acreage, functions, or values as follows:</p> <ul style="list-style-type: none"> <li>In coordination with USACE, the acreage of effects on waters of the U.S. and waters of the State that will result from implementation of the proposed Project will be determined.</li> </ul>	LTS

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
		<ul style="list-style-type: none"> <li>Section 404 and Section 401 permits will be secured and the permittee will implement and comply with all permit terms. The acreage, location, and methods for compensation will be determined during the Section 401 and Section 404 permitting processes.</li> <li>The performance standard will be "no net loss" on the basis of the acreage of wetlands and other waters of the U.S. and waters of the State that will be removed and/or degraded. Wetland habitat will be restored, enhanced, and/or replaced at an acreage and location and by methods agreeable to USACE, and/or the Central Valley RWQCB, as appropriate, depending on agency jurisdiction. The replacement of waters or wetlands will be equivalent to the nature of the habitat lost, and will be provided at a suitable ratio to ensure that, at a minimum, there is no net loss of habitat acreage or value. The replacement habitat will be set aside in perpetuity for habitat use.</li> <li>Mitigation will be achieved through one or more options, potentially including (but not limited to): <ul style="list-style-type: none"> <li>Restoration or creation within the project site.</li> <li>Restoration or creation of wetlands/other waters within the Parkway Plan Area.</li> <li>Restoration/creation in close proximity to but outside of the Parkway Plan Area.</li> <li>Purchase of mitigation credits at approved mitigation banks whose service area includes the project site.</li> </ul> </li> </ul>	N/A
BIO-4: Future development under the proposed Plan would not interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.	LTS	N/A	N/A
BIO-5: The proposed Plan, and future development under the proposed Plan, would not conflict with any HCPs / City or County specific plans, policies, or regulations.	LTS	N/A	N/A
BIO-6: Future development under the proposed Plan, in	LTS	N/A	N/A

**TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
combination with past, present, and reasonably foreseeable growth, would result in less than significant cumulative impacts with respect biological resources.			
<b>CULTURAL RESOURCES</b>			
CULT-1: The proposed Project would not cause a significant substantial adverse change in the significance of a historical resource.	LTS	N/A	N/A
CULT-2: The proposed Project would not cause a significant substantial adverse change in the significance of an archaeological resource.	LTS	N/A	N/A
CULT-3: The proposed Project would not cause significant impacts that would directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature.	LTS	N/A	N/A
CULT-4: The proposed Project would not result in significant impacts that would disturb any human remains, including those interred outside of formal cemeteries.	LTS	N/A	N/A
CULT-5: The proposed Project, in combination with past, present, and reasonably foreseeable projects, would not result in significant impacts with respect to cultural resources.	LTS	N/A	N/A
<b>GEOLOGY, SOILS, AND SEISMICITY</b>			
GEO-1: The proposed Plan would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving surface rupture along a known active fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; and landslides.	LTS	N/A	N/A
GEO-2: Future development under the proposed Plan would not result in substantial soil erosion or the loss of topsoil.	LTS	N/A	N/A
GEO-3: Future development under the proposed Plan would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.	LTS	N/A	N/A

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
GEO-4: Future development under the proposed Plan would not be located on expansive soil, as defined in Table 18-1-b of the Uniform Building Code (1994), creating substantial risks to life or property.	LTS	N/A	N/A
GEO-5: Future development under the proposed Plan would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.	LTS	N/A	N/A
GEO-6: The proposed Plan, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to geology, soil, and seismicity.	LTS	N/A	N/A
<b>GREENHOUSE GAS EMISSIONS</b>			
GHG-1: The Project would result in a substantial increase in GHG emissions and would not achieve a 29 percent reduction from BAU.	S	GHG-1: New structures shall be constructed with photovoltaic solar panels to offset building energy use, unless it can be demonstrated that such systems are not technologically feasible based on the location of structures, shading, or other site constraints.	SU
GHG-2: Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the GHG emissions.	LTS	N/A	N/A
GHG-3: The Project would result in a substantial increase in cumulatively considerable GHG emissions and would not achieve a 29 percent reduction from BAU. Mitigation Measures identified for Impact AQ-3 would also lessen impacts associated with an increase in GHG emissions. The additional measures identified in Mitigation Measure GHG-1 would reduce Project-related GHG emissions.	S	GHG-3: Implement Mitigation Measure GHG-1.	SU
<b>HAZARDS AND HAZARDOUS MATERIALS</b>			
HAZ-1: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.	LTS	N/A	N/A
HAZ-2: Create a significant hazard to the public or the environment through reasonably foreseeable upset and	LTS	N/A	N/A

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
accident conditions involving the release of hazardous materials into the environment.			
HAZ-3: Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school.	LTS	N/A	N/A
HAZ-4: Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment.	LTS	N/A	N/A
HAZ-5: Be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport.	LTS	N/A	N/A
HAZ-6: Be within the vicinity of a private airstrip and result in a safety hazard for people residing or working in The Parkway Area.	LTS	N/A	N/A
HAZ-7: Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	LTS	N/A	N/A
HAZ-8: Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.	LTS	N/A	N/A
HAZ-9: Future development under the proposed Plan, in combination with past, present, and reasonably foreseeable growth, would result in less than significant cumulative impacts with respect hazards and hazardous materials.	LTS	N/A	N/A
<b>HYDROLOGY AND WATER QUALITY</b>			
HYDRO-1: The proposed Plan would not violate any water quality standards or waste discharge requirements.	LTS	N/A	N/A
HYDRO-2: The proposed Plan would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table	LTS	N/A	N/A

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

level.	Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
	HYDRO-3: The proposed Plan would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion, siltation, or flooding on- or off-site.	LTS	N/A	N/A
	HYDRO-4: The proposed Plan would not create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.	LTS	N/A	N/A
	HYDRO-5: The proposed Plan would not otherwise substantially degrade water quality.	LTS	N/A	N/A
	HYDRO-6: The proposed Plan would result in a less-than-significant impact with respect to the placement of housing or structures, which would impede or redirect flood flows within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary Map, or Flood Insurance Rate Map, or other flood hazard delineation map.	LTS	N/A	N/A
	HYDRO-7: The proposed Plan would expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam.	S	HYDRO-7: The proposed Project would result in significant and unavoidable risk of exposing structures to significant risk of loss involving flooding as a result of the failure of Friant Dam.	SU
	HYDRO-8: The proposed Plan would result in less than significant adverse effects related to inundation by seiche, tsunami, or mudflow.	LTS	N/A	N/A
	HYDRO-9: The proposed Plan, in combination with past, present, and reasonably foreseeable development, would result in less than significant cumulative impacts with respect to hydrology and water quality.	LTS	N/A	N/A
<b>LAND USE AND PLANNING</b>				
	LAND-1: The proposed Plan would not physically divide an established community.	None	N/A	N/A
	LAND-2: The proposed Plan would not conflict with applicable	LTS	N/A	N/A

**EXECUTIVE SUMMARY**

**TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
land use plans, policies, or regulations.			
LAND-3: The proposed Plan would not conflict with applicable Habitat Conservation Plan or Natural Community Conservation Plan.	LTS	N/A	N/A
LAND-4: The proposed Plan, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to land use and planning.	LTS	N/A	N/A
<b>MINERAL RESOURCES</b>			
MR-1: The proposed Plan would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State.	LTS	N/A	N/A
MR-2: The proposed Plan would not result in the loss of availability of a locally important mineral resource site delineated on a local general plan, specific plan, or other land use plan.	LTS	N/A	N/A
MR-3: The Project, in combination with past, present, and reasonably foreseeable projects would not have a significant cumulative impact with respect to mineral resources.	LTS	N/A	N/A
<b>NOISE</b>			
NOISE-1: The proposed Plan would not expose people to or generate noise levels in excess of standards established in the General Plan or the Municipal Code, and/or the applicable standards of other agencies.	LTS	N/A	N/A
NOISE-2: The proposed Plan would not expose people to or result in generation of excessive groundborne vibration or groundborne noise levels.	LTS	N/A	N/A
NOISE-3: The proposed Plan would not cause a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project.	LTS	N/A	N/A
NOISE-4: The proposed Plan would not cause a substantial temporary or periodic increase in ambient noise levels in the	LTS	N/A	N/A



## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
Project vicinity above levels existing without the Project.			
NOISE-5: The proposed Plan would not cause exposure of people residing or working in the vicinity of the plan area to excessive aircraft noise levels, for a project located within an airport land use plan, or where such a plan has not been adopted, within 2 miles of a public airport or public use airport.	LTS	N/A	N/A
NOISE-6: The proposed Plan would not cause the exposure of people residing or working in the Project area to excessive noise levels, for a project within the vicinity of a private airstrip.	LTS	N/A	N/A
NOISE-7: Implementation of the proposed Master Plan, in combination with past, present, and reasonably foreseeable projects, would not result in additional cumulatively considerable noise, or ground-borne noise and vibration impacts.	LTS	N/A	N/A
<b>POPULATION AND HOUSING</b>			
POP-1: The proposed Project would not induce substantial unexpected population growth, or growth for which inadequate planning has occurred, either directly or indirectly.	LTS	N/A	N/A
POP-2: The proposed Project would not displace substantial numbers of existing housing units, necessitating the construction of replacement housing elsewhere.	LTS	N/A	N/A
POP-3: The proposed Project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.	LTS	N/A	N/A
POP-4: The proposed Project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant impacts with respect to population and housing.	LTS	N/A	N/A
<b>PUBLIC SERVICES AND RECREATION</b>			
PS-1: The proposed Project would not result in the provision of or need for new or physically altered fire protection facilities, the construction or operation of which could cause significant environmental impacts.	LTS	N/A	N/A

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
PS-2: The proposed Project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to fire protection service.	LTS	N/A	N/A
PS-3: The proposed Project would not result in the provision of or need for new or physically altered police facilities, the construction or operation of which could cause significant environmental impacts.	LTS	N/A	N/A
PS-4: The proposed Project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to police protection service.	LTS	N/A	N/A
PS-5: The proposed Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered parks and recreational facilities in order to maintain acceptable ratios of parkland per thousand residents.	LTS	N/A	N/A
PS-6: The proposed Project would not increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur, or be accelerated.	None	N/A	N/A
PS-7: The proposed Project would not include or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.	LTS	N/A	N/A
PS-8: The proposed Project, in combination with past, present, and reasonably foreseeable growth, would result in less than significant cumulative impacts with respect to parks and recreational facilities.	LTS	N/A	N/A
<b>TRANSPORTATION AND TRAFFIC</b>			
TRAF-1: Development of additional trailheads and activity centers within the San Joaquin River Parkway could create unsafe and unacceptable LOS conditions.	S	TRAF-1: If a future project implemented under the proposed Plan is estimated to generate daily or peak hour volumes of traffic that trigger requirements of a state or local agency to prepare a site access, circulation, and traffic study, the Conservancy shall consult with the respective agency. The Conservancy shall assist in the evaluation and address as necessary any	LTS

## EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

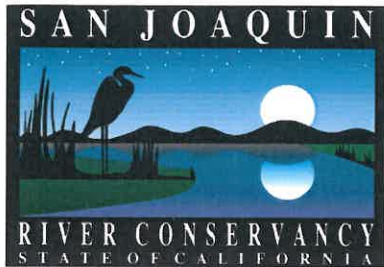
Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
TRAF-2: The proposed Project would not conflict with an applicable congestion management plan.	LTS	N/A	N/A
TRAF-3: The proposed Project would not result in a change in air traffic patterns that results in substantial safety risks.	None	N/A	N/A
TRAF-4: The proposed Project would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	LTS	N/A	N/A
TRAF-5: The proposed Project would not result in inadequate emergency access.	LTS	N/A	N/A
TRAF-6: The proposed Project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.	LTS	N/A	N/A
TRAF-7: The proposed Project, in combination with past, present, and reasonably foreseeable projects would result in less than significant cumulative impacts with respect to transportation and traffic.	LTS	N/A	N/A
<b>UTILITIES AND SERVICE SYSTEMS</b>			
UTIL-1: The Project would result in a less than significant impact on water supplies available to serve the Plan Area from existing entitlements and resources. No new or expanded entitlements would be needed.	LTS	N/A	N/A
UTIL-2: The Project would not require or result in the construction of new water facilities or expansion of existing facilities, the construction of which would cause significant environmental effects.	LTS	N/A	N/A
UTIL-3: The Project, in combination with past, present, and reasonably foreseeable projects, would result in less than	LTS	N/A	N/A

**EXECUTIVE SUMMARY**

**TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Summary of Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
significant cumulative impacts with respect to water service.			
UTIL-4: The Project would not exceed wastewater treatment requirements of the Central Valley Regional Water Quality Control Board (RWQCB).	LTS	N/A	N/A
UTIL-5: The Project would not require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects.	LTS	N/A	N/A
UTIL-6: The Project would not result in the determination by the wastewater treatment provider(s) which serves or may serve the Parkway Plan Area that it does not have adequate capacity to serve the Plan's projected demand in addition to the provider's existing commitments.	LTS	N/A	N/A
UTIL-7: The Project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to sewer service.	LTS	N/A	N/A
UTIL-8: The Project would be served by a landfill with sufficient permitted capacity to accommodate the Plan's solid waste disposal needs.	LTS	N/A	N/A
UTIL-9: The Project would not be out of compliance with federal, State, and local statutes and regulations related to solid waste.	LTS	N/A	N/A
UTIL-10: The Project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to solid waste.	LTS	N/A	N/A





## SAN JOAQUIN RIVER CONSERVANCY

### *Agenda Item*

Item: G-2

April 11, 2018

TO: San Joaquin River Conservancy  
Governing Board

FROM: Melinda S. Marks, Executive Officer

**SUBJECT: Summary of Proposals and Recommendations of the Evaluation Panel Regarding Applications for the Multi-Benefit Water Quality, Water Supply, Ecosystem and Watershed Protection and Restoration Grants for the 2017-2018 Cycle**

#### RECOMMENDATION:

It is recommended the Board decline to fund the single grant proposal received the 2017-2018 application cycle, from River Partners to perform California Environmental Quality Act (CEQA) and other services for a possible habitat restoration project on the Conservancy's Ball Ranch and the Department of Fish and Wildlife's (CDFW) Willow Unit of the San Joaquin River Ecological Reserve, and direct staff to assist River Partners in refining the proposal for future Board consideration.

#### SUMMARY:

The Conservancy solicited Proposition 1 Multi-Benefit Water Quality, Water Supply, Ecosystem and Watershed Protection and Restoration grant proposals with the release of the Proposal Solicitation Package (PSP) on September 25, 2017. The PSP was made available on the Conservancy website, [www.sjrc.ca.gov](http://www.sjrc.ca.gov). The Conservancy mailed solicitation notices to 42 agencies and interested parties; and another 106 notices were sent to interested parties in the form of an email. Two months, through December 5, 2017, were provided between the release of the PSP and the deadline for submitting the application. The Conservancy only received one grant proposal for the 2017-2018 grant cycle.

River Partners submitted the single proposal that was received. Their proposed project would provide CEQA planning and regulatory permitting to restore 46 acres of the Willow Unit, owned by the CDFW, and 39 acres of the Conservancy's Ball Ranch property. This site is located close to the San Joaquin River and provides the opportunity to restore successional riparian habitat. River Partners' primary goals for the San Joaquin River Floodplain Restoration Project at Ball Ranch and the Willow Unit include providing 85 additional acres of riparian habitat along the river that will provide multi-species benefits and reduce the impacts of climate change. The total budgeted cost of the proposed planning project was \$1,471,386, which is more than the Conservancy has available in Proposition 1 for planning projects. No in-kind or matching funding was secured by River Partners for the proposed project.

The proposal was evaluated and scored by the Evaluation Panel, which consisted of Suzanne DeLeon from CDFW, Randy Collins from State Lands Commission, Heidi West from the Wildlife Conservation Board, and Conservancy staff. The review panel individually scored the proposals in accordance with criteria and scoring in the PSP. The panel identified concerns regarding the proposal. The proposal lacked an unambiguous, sufficient description of the scope of work and the proposed project. River Partners' proposal combined a planning component that included the preparation and approval of CEQA environmental documents and permits, with project implementation. The proposed project's CEQA planning must be completed before authorizing implementation work.

Proposition 1 is structured as a competitive grant program, and it is intended the application would be evaluated pursuant to established criteria. The Conservancy's Proposition 1 grant guidelines allow for the review panel to ask the applicant to refine their proposal to address specific concerns. The Conservancy provided the panel's concerns to River Partners on January 22, 2018, and gave them the opportunity to resubmit their proposal; however, the resubmitted proposal still did not receive acceptable scores among the panel members. The panel members recognized the potential benefits of habitat restoration on the identified properties. At the Board's discretion and direction, the River Partner's proposal could be:

1. Refined with the assistance of staff and CDFW, and resubmitted to the Board as soon as possible for consideration of funding through the 2017 Proposition 1 grant cycle;
2. Rejected for funding in the 2017 Proposition 1 grant cycle. Staff and CDFW would provide the applicant specific written comments for why the application failed, so that they might successfully resubmit a Proposal with the next competitive grant cycle. The next Proposal Solicitation cycle could be initiated in the summer of 2018, rather than waiting until the fall; or
3. Refined with direction to staff to work with CDFW and the applicant to present a proposal for CEQA planning only that would be eligible for the Board to consider funding through the Conservancy's non-competitive grant programs (Propositions 40 and 84). Permits would be secured during subsequent implementation phases, provided the proposed project is approved.

All of the options are possible; however, the third option would best maintain the competitive grant process established in the Conservancy's adopted Proposition 1 guidelines. Further, a focused CEQA-only planning project would not significantly impact the bond funds available for other possible non-competitive grant projects.

Although the Proposition 1 Grant Proposal submitted by River Partners would provide for planning and compliance for a potentially beneficial habitat restoration project on a portion of Ball Ranch and the Willow Unit, it is recommended the Board decline to grant funds at this time, and in light of the merits of this potential collaborative project, direct staff to work with CDFW and the applicant to refine and more clearly define: the work to be performed, the proposed project (i.e., the project description for the CEQA review), and the line item budget. Staff recommends the refined proposal for CEQA planning would be eligible for the Board to consider funding through the Conservancy's noncompetitive grant programs (Propositions 40 and 84).

#### DISCUSSION:

In March 2016, the Conservancy Board awarded a Proposition 1 grant to River Partners to conduct the Ball Ranch Habitat Restoration Planning Project. River Partners finalized the

Restoration Opportunities Analysis for the San Joaquin River Parkway: Ball Ranch and Willow Unit. The proposed project follows from the recommendations of that report.

The Water Quality, Water Supply, and Infrastructure Improvement Act of 2014 (Proposition 1) is a \$7.5 billion water bond to improve water quality, water supplies, and restore natural watershed features in California. The total amount of funding authorized in Proposition 1 for the San Joaquin River Conservancy's watershed protection and restoration grant program is \$10 million, of which a maximum of ten percent (\$1.0 million) may be expended on planning projects, and \$500,000 may be used for program delivery staff. The first and second year of the program, the Conservancy and WCB awarded a total of \$3,305,406 to four grantees, of which \$533,955 was for planning projects.

Since the Conservancy is not recommending awarding funds, the money will remain available to fund future grants. Each budget year appropriation provides three years to encumber the funds, whereupon unencumbered funds would revert and may be reappropriated.

The Conservancy appreciates the contribution of Ms. DeLeon, Mr. Collins, and Ms. West as part of the evaluation panel.

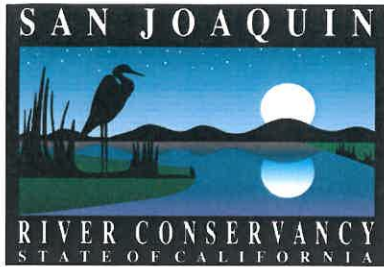


Rebecca Raus

Associate Governmental Program Analyst







## SAN JOAQUIN RIVER CONSERVANCY

### *Agenda Item*

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Item: G-3

April 11, 2018

TO: San Joaquin River Conservancy Governing Board

FROM: Melinda S. Marks, Executive Officer 

SUBJECT: **Create Ad Hoc Board Committee for Recruitment of Executive Officer, to Fill Position in Fall 2018**

#### RECOMMENDATION:

It is recommended the Board identify at least three and no more than five Board members to serve on an ad hoc committee to oversee the recruitment, evaluate candidates, and develop a recommendation to the full Board to fill the Executive Officer position upon retirement of the current Executive Officer in early fall 2018.

#### SUMMARY:

Although the composition of the ad hoc committee is entirely discretionary, staff and Board Chairman Frazier recommend the Board nominate, and by motion and majority vote select not more than five members to serve on an ad hoc committee to assist in the recruitment, evaluation, and recommendation process. It is recommended the committee be composed of the Board's:

- Two elected representatives, one each from the Fresno and Madera areas;
- Two state agency representatives; and
- One citizen representative.

The proposed committee would meet in April to review the job duty statement, discuss ideal candidate characteristics, and oversee contracted recruitment services. In late summer they would meet to evaluate applications, interview candidates, and make a hiring recommendation to the Board. They may also make recommendations to guide the transition process. It is expected that the recruitment package would be prepared in April 2018, to fill the position by October 1, 2018, shortly after the current Executive Officer retires from the position. Staff will be available to support the committee's tasks.

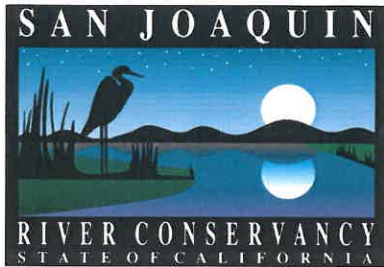
Staff is working to develop a scope of work and budget to utilize the State's recruitment Joint Powers Authority, CPS HR Consulting, to perform executive search services. Staff will also work to secure a temporary help authorization to allow the current Executive Officer to work as extra help on an hourly basis after the new Executive Officer is hired, to assist in the transition. There are adequate funds remaining in the Conservancy's 2017-2018 administration budget that can be used for recruitment services, and there will be some discretionary funding available in the 2018-2019 budget that could pay for part-time hourly extra help services of the current Executive Officer.

#### DISCUSSION:

The first full-time Conservancy Executive Officer was recruited and hired in 2001. A Board Ad Hoc committee, consisting of the Board chairperson and vice-chairperson (both local representatives)

and a Board member from a state agency, evaluated applications, interviewed applicants, and made a recommendation to fill the position to the full Board.

Since CPS HR Consulting is a Joint Powers Authority, the Conservancy will not need to bid for services, which is essential since the Conservancy must execute all fiscal year 2017-2018 contracts by May 1. It is planned that CPS will be contracted to provide development of a digital marketing brochure, targeted outreach to environmental job boards and all government agencies in California, a screening interview of all candidates that meet minimum qualifications, and a client report identifying screened candidates in two ranked groups, within a not-to-exceed budget. The Conservancy could benefit greatly from the outreach and screening that would be provided.



## SAN JOAQUIN RIVER CONSERVANCY

### *Agenda Item*

Item: G-4

April 11, 2018

TO: San Joaquin River Conservancy Board

FROM: Melinda S. Marks, Executive Officer *Umsa*

SUBJECT: **Report for Informational Purposes on Assembly Bill 3218, Authored by Assemblymember Dr. Joaquin Arambula**

#### RECOMMEDATION:

This item is presented for informational purposes only. No Board action is recommended.

#### SUMMARY:

AB 3218, introduced February 17, 2018, by Assembly Member Arambula, would require the California Department of Parks and Recreation "to take all necessary action to acquire lands to expand the Millerton Lake State Recreation Area to include the San Joaquin River and approximately 5,900 acres adjacent to the river" on both sides of the river between Friant Dam and Highway 99. The bill as introduced provides little information; however, Dr. Arambula has made it clear that his intention is to provide for State Parks to operate and maintain the San Joaquin River Parkway.

On April 26, Assemblymember Arambula convened a meeting with Assemblymember Frank Bigelow, Assemblymember Jim Patterson, Congressman Jim Costa, Fresno and Madera City and County elected officials, other Conservancy Board members (less than a quorum), and an interested citizen. Conservancy staff attended as a technical resource on invitation of Dr. Arambula's staff. The attending Assemblymembers agreed to meet to work together on possible refinements of the bill. The City of Fresno and County of Fresno have indicated general support for increasing State funding for Parkway operations and maintenance, and have indicated concerns relating to retaining the local participation in decision-making provided by the Conservancy and ensuring State Parks would not have the power of eminent domain related to Parkway land acquisitions.

The bill as of the date of preparation of this staff report is attached.

Conservancy staff and the other potentially affected State agencies, which are member agencies on the Board, will be working through the California Natural Resources Agency Deputy Secretary for Legislation and the agencies' respective legislative officers to monitor the proposed legislation.

Attachment



# California

## LEGISLATIVE INFORMATION

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### AB-3218 Millerton Lake State Recreation Area: expansion. (2017-2018)

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Date Published: 02/17/2018 04:00 AM

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

## ASSEMBLY BILL

**No. 3218****Introduced by Assembly Member Arambula****February 16, 2018**

An act to add Section 5005.2 to the Public Resources Code, relating to state parks.

### LEGISLATIVE COUNSEL'S DIGEST

AB 3218, as introduced, Arambula. Millerton Lake State Recreation Area: expansion.

Existing law designates all parks, public campgrounds, monument sites, landmark sites, and sites of historical interest established or acquired by the state, or that are under its control, as the state park system, except as specified. Under existing law, the Department of Parks and Recreation controls the state park system, which is made up of units, one of which is the Millerton Lake State Recreation Area.

This bill would require the department to take all necessary action to acquire lands to expand the Millerton Lake State Recreation Area to include the San Joaquin River and approximately 5,900 acres adjacent to the river, as specified.

This bill would make legislative findings and declarations as to the necessity of a special statute for purposes of expanding the Millerton Lake State Recreation Area.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

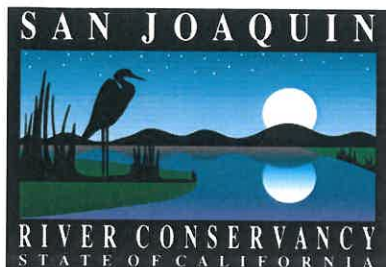
### THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** Section 5005.2 is added to the Public Resources Code, to read:

**5005.2.** The department shall take all necessary action to acquire lands to expand the Millerton Lake State Recreation Area to include the San Joaquin River and approximately 5,900 acres adjacent to both sides of the San Joaquin River between Friant Dam and the Highway 99 crossing.

**SEC. 2.** The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique need to expand the Millerton Lake State Recreation Area.





## SAN JOAQUIN RIVER CONSERVANCY

### *Agenda Item*

Item: H-3a

April 11, 2018

TO: San Joaquin River Conservancy Board

FROM: Melinda S. Marks, Executive Officer 

SUBJECT: **River West Fresno, Eaton Trail Extension Work Group, Summary of Meeting March 12, 2018**

#### RECOMMENDATION:

This report is for informational purposes. No Board action is recommended.

#### AGENDA AND MEETING SUMMARY:

Meeting: March 12, 2018, 3:30 p.m.  
Fresno Metropolitan Flood Control District

The following summarizes the work group's discussions relating to each topic on the agenda.

#### 1. INTRODUCTIONS

##### ATTENDEES:

Deep Sidhu, County of Fresno, Department of Public Health, Environmental Health Division  
Scott Mozier, City of Fresno Department of Public Works  
Andrew Benelli, City of Fresno, Assistant Public Works Director/City Engineer  
Heidi West, Wildlife Conservation Board  
Paul Gibson, San Joaquin River Conservancy Board Member  
John Kinsey, San Joaquin River Access Corporation (SJRAC)  
Tom Beggs, SJRAC  
Kevin Tsuda, County of Fresno, Department of Public Health, Environmental Health Division  
Sharon Weaver, San Joaquin River Parkway and Conservation Trust  
Kristine Walter, SJRAC  
Dan Carlson, Central Valley Regional Water Quality Control Board  
Steven Rhodes, County of Fresno, Department of Public Health, Environmental Health Division  
Daniel Vasquez, Wildlife Conservation Board; attending via teleconference

STAFF: Melinda Marks, Executive Officer; Rebecca Raus, Associate Government Programs Analyst; Jasanjit Bains, Staff Services Analyst

#### 2. ADDITIONS TO THE AGENDA

None.

### 3. Status Report, SJRAC

#### a. Meeting on February 2, 2018 regarding post-closure land use plan

On February 2, 2018, representatives of the SJRAC, Conservancy and City of Fresno staff, and staff of the regulatory agencies—the County of Fresno Department of Public Health and the Central Valley Regional Water Quality Control Board—met to discuss the work necessary to apply for a post-closure land use plan for the closed landfill on the SJRAC's optioned parcel.

#### b. Update regarding securing geotechnical and engineering design consultant(s) to present post-closure land use plan to Fresno county Health Dept. and Regional Water Quality Control Board

As the result of the February 2 meeting, the SJRAC is working to secure a geotechnical consultant to prepare a report and post-closure plan to the regulatory agencies. On February 19, Conservancy staff met with SJRAC representatives to discuss the scope of work for the consultant. The SJRAC also plans to secure engineering services as necessary to develop construction-level engineered design and plans for the features to be located on the 11-acre parcel, so that they can secure final approval of the post-closure land use plan by the end of 2018. Once they secure a consultant, they can better anticipate the schedule.

Nineteen public documents reporting on environmental assessments for the subject property were emailed by the Conservancy to SJRAC representatives and copied to the regulatory contacts. The SJRAC's consultant will first prepare a technical report summarizing the conclusions in a comprehensive, integrated report. The report will evaluate whether the SJRAC is in a position to start the landfill post closure land use plan, or must perform additional assessments and subsurface analyses.

#### c. Negotiations to revise Spano easement associated with the option agreement

The SJRAC reported that it is working on negotiating revisions to the easement granted to Mr. Spano via the land purchase option, to address the Board's concerns about the grantee's control over future Parkway development on the parcel. By the next work group meeting they may be ready to present an amended easement. Some items need more clarification from the Conservancy and the City of Fresno, so a draft of the revised easement will be provided in advance to the agencies. The SJRAC has reached out to Mr. Spano on issues that are of sensitivity to the Conservancy and City.

The SJRAC is focusing on revising the easement to clearly allow the future improvements, operations, and uses, so that Mr. Spano will have approved the Parkway's plans upon executing the easement. SJRAC's goal is to allow within the easement as much flexibility as possible; however, they must negotiate the easement with Mr. Spano. They are trying to make sure the stakeholders are not boxed in by the requirements of the easement. Mr. Spano is proposing a development at the top of the bluff, so he is concerned about the future parking area. There will be some issues that are more difficult than others to resolve.

It was noted that the easement would affect any future public acquisition of the property, so the City, Conservancy, and Wildlife Conservation Board should be kept informed. The rights necessary to develop the project must be secured, or the easement will be an obstacle. With regard to the Conservancy's potential acquisition of permanent public access rights on the 11-acre parcel, or possible State acquisition of the parcel, the land agent from the Wildlife Conservation Board is assisting the Conservancy to identify issues and explore possibilities. Until the SJRAC's post-closure plan is further along, and the Spano easement is renegotiated,

negotiations among the City, Conservancy, and SJRAC regarding a public access easement or property acquisition are on hold.

The SJRAC reported they have been working on defining the parcel boundaries, including identifying the state sovereign lands. It was noted that the state sovereign lands were surveyed when the State acquired the property, and the SJRAC should secure the boundary data from the State Lands Commission. There may be some discrepancies between the boundary of the property in the Spano documents and the State Lands Commission's boundary.

The SJRAC confirmed that they are trying to secure approval of the post-closure land use plan and the final easement, before closing escrow.

4. Comments on process and status from regulatory agency staff, County of Fresno Public Health Department, City of Fresno Discussion regarding securing public access rights, San Joaquin River Conservancy, Wildlife Conservation Board

The County Health Department initiated a discussion about the land under City ownership above and on the bluff face, and whether the project will affect any of the landfill that has not been closed above and on the bluff. The City reported that the access road would be aligned in an area that has been clean-closed. The City's geotechnical report confirmed that there were no wastes in the alignment. The Regional Board clarified that as long as the access road is not on other areas that contain wastes, then a post closure land use plan for those areas is not an issue.

It is possible methane may migrate through the area from the neighboring wastes. Something may create a health and safety issue for construction workers; at a minimum a Health and Safety Plan will be required. If the access road cuts into the bluff, there may be a problem with exposure. The Conservancy confirmed that a construction Health and Safety Plan is required as a mitigation measure in the Final EIR.

The City suggested that if there are outstanding landfill issues for the project area, including the City property, they can be addressed in the post closure plan for the new parcel. It was suggested that the group be sure all the benchmarks are addressed, even if they are related to the City's property, not just the SJRAC's—e.g., issues that need to be addressed ultimately for construction. The variance for the Bluff Protection Ordinance is among those issues.

There was discussion about the various property ownerships the access road and parking are would encompass. Easements or encroachment agreements will be needed among the State, City, Fresno Metropolitan Flood Control District, and SJRAC. There was an initial discussion of what types of long term tenure the State would need to fund improvements on City, SJRAC, or Flood Control property. There will need to be discussion with the entities regarding what kind of documents would meet their needs—an easement, a joint use agreement, encroachment permit, or something else along those lines. If lands or easements must be purchased by the State, appraisals would be needed, and a lot of questions would need to be answered.

There is one year from December 2017 to address the benchmarks established by the Board; some issues would normally be addressed later in the design and right-of-way process. There are design issues that won't likely be addressed until final designs are initiated and completed, well after the benchmarks are met and after operations resources are assured. On the other hand, typically final plans and specifications are required to secure the post closure land use plan and other permits.

The SJRAC noted the critical path is for the Regional Board and County Health to approve the post-closure land use plan for the 11-acre property. Under most circumstances, the SJRAC would need to produce detailed designs and specifications to secure final approval of the post-closure plan. It was suggested by Mr. Mozier that final biddable plans and specifications might not be necessary, but perhaps the SJRAC could prepare the grading plan, drainage plans, locations of paving, irrigation and landscape plans—just what is needed to get the post-closure plan approved. The Health Department added that they would need to know any area that would be excavated, and the type of cover that would be placed; the plan must try not to disturb the existing cover. It was noted that the vault toilet restroom would need to be placed off the 11-acre site, but nearby on Conservancy property. There would be irrigation only as necessary to support whatever type of landscaping is allowed; the trenching would be within the fill, not into the wastes.

There was discussion of the usual prohibition of planting trees on closed landfills, because of the intrusion of roots. The Regional Board will consider whether trees could be allowed in this instance, once they have received the consultant's report. The provisions in the SJRAC's easement with Mr. Spano calls for landscaping. The Parkway Trust and Conservancy have available native plant palettes, but the plant selection would be dictated by the regulatory limitations on root depths.

## 5. Operations and Maintenance Resources

### d. Analysis of costs for core elements, San Joaquin River Conservancy

City, Conservancy, and San Joaquin River Parkway and Conservation Trust staff are initiating discussions to develop a cost estimate of the services, operations, management, and short- and long-term maintenance for the core project elements. This will later evolve to include an estimate of the operations and maintenance costs for the North Palm Access improvements. The Conservancy could move forward with funding permitting and design if operations and maintenance resources were committed for the project.

There was a discussion of the Measure C transportation sales tax revenues that could be made available for trail operations. There is a provision in Measure C where the City and County can utilize up to \$10,000 per mile for five years, provided that there is a 5:1 leverage of construction funds from other sources. For the approximately 2.5-mile project, there would potentially be \$25,000 per year for five years. If there was at least \$625,000 of non-Measure C money to build the trails (e.g., State funds) the project would qualify for the full funding. The funds cannot be used for things like operating the staging areas. The City's current cost for operating and maintaining trails is approximately \$10,000 per mile.

6. Set next meeting date, time place. Identify work to be conducted in the next month. Identify any additional work group members.

Next Meeting will discuss:

- SJRAC status report on:
  - i. Securing a geotechnical/engineering consultant, scope of work (design, post closure land use plan), timelines
  - ii. Continued status reports and discussion of
    - a. Requirements for the post-closure land use plan
    - b. Report on Health and Safety Plan to be prepared prior to construction
- SJRAC report on negotiations with Mr. Spano to revise easement, e.g., regarding approval of improvement plans, operations



- i. Discussion of rights that must be secured to develop improvements and assure public access
  - iii. Discussion of easement's effect on potential State purchase
- Report on operations and maintenance considerations (focusing on core project elements), rough cost, revenues, and funding resources
- Report on issues associated with FMFCD facilities and property



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Jasanjit Bains, Staff Services Analyst